CASE NO.
128

SOUTHERN DISTRICT

SAN JOSE GRANT

RICARDO VEJAR

CLAIMANT

LAND CASE 128 SD 134 pgs.

TRANSCRIPT

OF THE

PROCEEDINGS

IN CASE

NO. 388

Ricardo Vejar CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"San José".

/

Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

Be it Remembered, *that on this* ninth day of October, *Anno Domini One Thousand Eight Hundred and Fifty=*Two, *before the Commissioners to ascertain and settle the Private Land Claims in the State of California, sitting as a Board in the City of San Francisco, in the State aforesaid, in the United States of America, the following Proceedings were had, to wit;*

The Petition of Ricardo Vejar *for the Place named* San José *was presented, and ordered to be filed and docketed with No.* 388 *and is as follows, to wit;*

(Vide page 1 *of this Transcript.)*

Upon which Petition the following subsequent Proceedings were had in their chronological order, to wit;

Los Angeles October 23d 1852.

In Case no. 388 Ricardo Vejar for part of the place named San José the parties litigant filed the following agreement to wit:

(Vide page 30. of this Transcript)

In the same Case the deposition of Abel Stearns, a witness in behalf of the Claimant taken before Commissioner Hiland Hall was filed;

(Vide page 6 of this Transcript)

In the same Case the deposition of Ignacio del Valle, a witness in behalf of the Claimant taken before Commissioner Hiland Hall with document marked H.H.D annexed thereto was filed

(Vide page 5 of this Transcript)

2

San Francisco Sept. 21st 1853.

Case No. 388 called; Submitted on briefs on both sides and taken under advisement by the Board.

San Francisco Jan. 31st 1854

In the same case Commissioner Alpheus Felch delivered the opinion of the Board confirming the claim;

(vide page 57 of this Transcript)

3

To the Hon. Commissioners for ascertaining & settling private land claims in California.

The petitioner Ricardo Vejar represents.

That on the 15th of April 1837 Juan B. Alvarado, then Governor of California, acting under authority of the laws then in force, granted to him & Ignacio Palomares, jointly a tract of land called San José, with the limits shown on the map previously presented, which tract of land lies in the present County of Los Angeles.

Petition.

128 SD
PAGE 4

That on the 19th of April 1837 the grant was confirmed by the Diputation.

That on the 3d of August 1837 the boundaries of the land were designated & judicial possession thereof given to the grantees — All which will more fully appear by reference to the copy of the grant & approval & of the act of judicial possession, herewith filed, severally marked Exhibits B. & M. & the translations thereof severally marked Exhibits B & M.

That on the 14th of March 1840, the said Juan B. Alvarado, Governor, acting under the authority aforesaid, made a grant of land to the petitioner & the said Palomares, together with Luis Arenas, which grant embraced the same tract before granted on the 15th of April 1837 to the two first-named and an additional league adjoining it.

That in the month of May 1840, judicial possession of the said additional league was given to the grantees in due form, & a copy of the act of possession marked Exhibit N, is herewith filed, together with a copy of the said second grant marked Exhibit C. & a certified copy of the expedientes from the office of the Surveyor Genl. of the United States for California, marked Exhibit A, & translations of each of said documents severally marked Exhibits N. C. & A —

350

4

/386

128 SD
PAGE 5

That on the 24th of December 1844 the said Luis Abenace sold & conveyed his interest in the said tracts of land to Henry Dallon & in the month of February 1846, a partition of the land was made between the said Palomares & Dallon & the petitioner, a certain portion being designated & marked out as the separate share of each the whole tract having been first accurately surveyed by running out the lines established when the judicial possession was given.

That the precise boundaries of the whole tract of land included in the grant, & of the share assigned to the petitioner will appear from reference to the act of partition & the accompanying maps, a copy of which marked Exhibit D. & a translation thereof marked Exhibit D. are herewith filed & made part of this petition.

That the land granted by each of the grants above mentioned was occupied by the grantees so soon as they were put in possession & such occupation has continued down to the present time.

That he knows of no other claim to any part of said land.

In support of his claim he relies upon the papers herein referred to & such other evidence as he may hereafter offer.

He prays the confirmation of his title with the boundaries specified in the act of partition & the accompanying maps.

A. P. Crittenden.
Attº for Claimant.

Filed in Office Oct 9th 1852.
Geo: Fisher.
Secy.

280

5

Los Angeles, Oct 23d 1852.

On this day before Heland Hall, one of the Commissioners for ascertaining & settling private land claims in California, came Ignacio del Valle, a witness produced in behalf of the claimant - Ricardo Vejar, whose petition is No 388. on the docket of the Board & being duly sworn, his evidence being interpreted by the Secretary.

Deposition of Ignacio del Valle.

The U. S. Associate Law Agent was notified & attended.

In answer to questions by counsel for the claimant the witness testified as follows —

My name is Ignacio del Valle, my age is forty four years & I reside in Los Angeles, & have resided in California for twenty seven years.

I am acquainted with the hand writing & signatures of Juan Gallardo, Ignacio Coronel. A paper is now shown me purporting to be an official copy of a record of proceedings of a division of land between Ignacio Palomares, Ricardo Vejar & Henry Dalton, dated at the commencement of the papers February 27 1846, to which two maps are attached.

The names of Juan Gallardo & Ignacio Coronel, appearing at the foot of said official copy & also the signatures of said Gallardo appearing on each of said maps, I believe to be their genuine signatures. Said Gallardo held the office of First Alcalde at the date of said papers. Said paper is Exhibit D. filed in this case.

Sworn & Subscribed Before me

Ignacio del Valle.

Heland Hall. Comr.

Filed in Office Oct 23d 1852. Geo. Fisher. Secy.

6

7386

Los Angeles Oct 23d 1852.

On this day before Comr Hiland Hall, came Abel Stearns, a witness in behalf of the claimant — Ricardo Vejar, petition No 388. I was duly sworn, his evidence being given in English.

The U. S. Associate Law Agent was present.

Deposition of Abel Stearns

In answer to inquiries by Counsel for the claimant, the witness testified as follows.

My name is Abel Stearns, my age is fifty four years, & my residence Los Angeles. I have resided in California over twenty three years.

I am acquainted with the rancho called San José. It is in the county of Los Angeles, about eleven leagues in a north westerly direction from this place. It was occupied as early as the year 1838 & perhaps in 1837 by Ignacio Palomares & Ricardo Vejar. They occupied it soon after it was granted them — perhaps before — They put up houses & lived on the land, cultivated it & had stock on it — & they have resided there ever since — I think the land was occupied before April 1838. Palomares & Vejar had separate establishments on the land.

Abel Stearns

Subscribed & sworn
Before me
Hiland Hall.
Comr.

Filed in Office Oct 23rd 1852
Geo: Fisher.
Secy

7

1 S. D. K.

Expediente

Promovido por los Ciudadanos Ignacio Palomares, Ricardo Bejar y Luis Arenas, en Solicitud del terreno nombrado San Jose

Numero

141

8

2 S. D. K.

Expediente
Promovido por los Ciudadanos Ignacio
Palomares, Ricardo Pejar y
Luis Arenas, en Solicitud del
paraje llamado
Sn Jose

1837

141

Certified Copy of Espediente &a.

3 S.D.K.

Exmo Sr Gobernador

El Ciudadano Ignacio Palomares y C. Ricardo Vejar ante V.E. como mas haya lugar en dro comparecemos diciendo: que contando con un considerable numero de bienes de campo entre ganado y caballada, de nuestra propiedad unico haber p.a sustento de nuestras familias, los q.e las vecu esisten en un sitio muy corto y provisio. en el cual son mas los atosos q.e sufrimos, y hallandose valdio un parage conocido con el nombre de S.n Jose el cual dista como seis leguas, poco mas o menos, de la Ra-Mision de S.n Gabriel, cuyo diseño pondremos en conocim.to de V.E. á la vrebedad posible

A V.E. rendidamente suplicamos se digne concedernos el parage referido, sirviendose tomar un rato de consideracion en las cases de estio en q.e nos hallamos, por cuya causa nos acojimos a la acreditada bondad de V.E. en lo q.e recibiremos gracia y justicia, jurando lo necesario &a, admitiendonos este en papel comun por no haber del sellado respectivo — Entre reng.s = el = vale —

Ciudad de los Ang.s marzo

Ciudad de los Angeles 30 de Mzo de 1837

Informe el Y. Ayuntam.to de la Ciudad de los Angeles si los interesados en esta instancia obtienen todos los requisitos legales para ser atendidos en su solicitud: si el terreno que pretenden es baldio: si no pertenece a la propiedad particular de algun individuo, pueblo ó Mision; o si perteneciendo a alguna de esas Misiones se halla en el caso de adjudicarse conforme a las leyes de Colonizacion.

Evacuadas estas formalidades, volverá el espediente al gobierno para su resolucion

Alvarado

4 S.D.K.

27 de 1837

Por mi y por Ricardo Vejar que no sabe escribir
Ignacio Palomares

Angs. Abril 1.º de 1837

Dada cuenta al Ilte Ayuntamto. de esta Ciudad en sesion de hoy con esta inst.a y decreto del Sor Gobernador int.o del Estado, acordó pasara a la Comision de terrenos baldios p.a que produzca el informe que se refiere

Gil Ybarra — Presto.
Narciso Botello — Srio

Ilte Ayuntamto.

La Comision de terrenos baldios dice que cumpliendo con el decreto que antecede del Sor Gobernador int.o del Estado informa, que los interesados en este expediente son Ciudadanos Mejicanos p.r nacimto., han prestado repetidos servicios a esta Jurisdiccion y tienen un considerable numero de bienes de campo entre ganado y caballada, los cuales les son muy suficientes para cubrir el sitio que pretenden conforme a la ley de la materia, cuyos vienes actualmente los tienen en un sitio provisional y muy corto q.e en union de otros vecinos de esta Ciudad se les concedió, el cual es bastante escaso de agua y pastos

5 S. DK

El parage S.n Jose que se refiere en este expediente, a la fha se haya baldio, pues aun que ha pertenecido a la ex Mision de S.n Gabriel, la Comision está bien impuesta y le consta de que no existe en él una vez de dicha comunidad, por lo que cree la Comision que se haya en estado de adjudicarse conforme a las leyes de colonisacion

Ciudad de los Angs. Abril 7 de 1837

Bacilio Valdez — Felipe Lugo — Franco. Portoya

Ang.s Abril 8 de 1837

Siendo aprobado el antecedente dictamen por este Ilustre Ayuntam.to remítase al Sor Gobernador del Estado el presente expediente p.a q.e en su vista obre los efectos convenientes

Gil Ibarra Vicente de la Osa
Srio int.o

6 S.D.K.

Sta Barbara Abril 15 de 1837

Vista la peticion con que dá principio este expediente, el informe del Y. Ayuntamiento de la Ciudad de los Angeles, con todo lo demas que se tuvo presente y por convino, de conformidad con las leyes y reglamentos de la materia, se declaran a los Ciudadanos Ignacio Palomares y Ricardo Bejar, dueños en propiedad del parage llamado S.n Jose, conforme al diseño que acompañaron a la solicitud y dentro de los linderos que en el se expresan. Líbrese el despacho correspondiente, tomese razon en el libro respectivo y dirijase este expediente a la Sama Diputacion para la debida aprovacion. El Sor D.n Juan B. Alvarado, Gob.or int.o del Estado y Presid.te de la Sama Diputacion lo decretó, mandó y firmó, de que doy fee

Juan B. Alvarado

Exmo Sor

La Comision de tierras baldias impuesta del Exp.te promovido p.r los Ciud.s Ig.o Palomares y Ricardo Bejar en solicitud del parage nombrado S. Jose, pone a la deliberacion de V.E. la sig.te proposicion:

7 S.D.K.

Se concede a los Ciud.os Ig.o Palomares y Ricardo Bejar el parage nombrado S. Jose p.a q.e lo posean en propiedad p.r tener los requisitos necesarios conforme a la Ley de 18 de Ag.to de 824, y el art.o 5.o

del reglam.to de 21 de Nove de 828

S.ta Barbara Abril 16 de 1837

Antonino Buelna José Ant.o de la Guerra y Carrillo

S.ta Barba Abril 19 de 1837

En sesion de este dia se aprobó p.r la Corporac.n la proposic.n en q.e concluye el ~~[illegible]~~ al Gob.or p.a los fines q.e son consig.tes.

Alvarado

Victor Prudon

Sec.o

8 S. 2K

Monterey 14 de Marzo de 1840

Por cuanto los C.s Ignacio Palomares, Ricardo Vejar y Luis Arenas han convenido mutuam.te y solicitado a beneficio de los tres el paraje llamado San Jose que fue adjudicado a los dos primeros por decreto de 18 de Abril de 1837 con aumento de un sitio de ganado mayor por la parte del poniente contigua a la Sierra de San Gabriel, practicadas previamente las diligencias y averiguaciones consiguientes segun lo dispuesto por leyes y reglamentos de la materia, y usando de las facultades que me son conferidas a nombre de la Nacion Mejicana, los declaro dueños en propiedad del mencionado paraje de San Jose, con el aumento de un sitio de ganado mayor. El Sor D. Juan B. Alvarado Gob.or Constitucional de las California's así lo mandó decretó y firmó de que doy fee

Map

13

mdr 8

10 S. D. K.

Sor Prefecto int.e de este Distrito

Ang.s Dbre 20 de 1839

Pase la presente instancia a los C.C. Ignacio Palom.s y Ricardo Bejar a fin de q.e informen sobre el contenido en ella, y luego pase al Sor Administrador de la Mision de S.n Gabriel p.a q.e p.r su parte espongan lo q.e le convenga, bajo el concepto de que el interesado agregará el correspond.te diseño, y vuelva p.a proveer

Tapia

Narciso Botello

Srio

Luis Arenas natural de Hermosillo en el Departamento de Sonora, y vecino de esta Ciudad ante V. S. con el debido respeto y conforme a Dro hace presente: q.e el actual Señor Sor Gobernador D.n Juan Bautista Alvarado le concedió desde el año pasado el derecho á una tercera parte del terreno conocido con el nombre de S.n Jose, quedando p.r este hecho asociado con los Ciudadanos Ignacio Palomares y Ricardo Bejar, concediendo su S. E. para beneficio de los tres una legua mas de terreno p.a aumento del g.e a lo presente presen Palomares y Bejar. Para ser admitido como socio con estos dos Sres fué el q.e suscribe recomendado p.r el mismo Sor Gobernador p.r medio de una carta dirijida á Palomares en aquella fecha.

Varias circunstancias le han impedido al que suscribe haberse presentado en forma oportunamente como ahora lo hace, suplicando a V. S. se sirva concedele la legua de terreno espresada, y para la parte llamada Azusa hacia el rumbo de la Mision de S.n Gabriel cuyo diseño presentará á V. S. a la mayor brevedad.

Por tanto

A V. S. suplica acceda a su solicitud decretando la conformidad en lo q.e recibirá merced y justicia

11 S. D. K.

Sirviendose admitirla en este papel comun p.r no

haber del Cellado q.e corresponde.

Ang.s Diciembre 16 de 1839

Luis Arenas

Sor Prefecto de este Distrito

Los que subscriben Ygnacio Palomares y Ricardo Bejar, cumpliendo con el Superior marginal decreto de V.S. que antecede, y en la parte que les toca dicen; que ambos unanimamente han convenido en admitir como Socio en el Rancho de S.n Jose que actualmente poseen al interesado en el presente expediente, Ciudadano Luis Arenas, por haberlo asi recomendado el E.S. Gobernador D. Juan Bautista Alvarado por una carta que pasó al primero, ofreciendo para ello, Conceder una legua mas de terreno en aumento del Sitio hacia al Rumbo que se llama Asusa, hacia la Mision de San Gabriel por ser la parte mas a proposito para la susodicha estencion

Ang.s Dbre 21 de 1839

Ygn.o Palomares Ricardo Bejar
X

128 SD
PAGE 15

12 S.D.K.

S.n Gab.l y Enero 20 de 1840.

Habiendo recibido el dia de hayer en esta Adm.n el presente expediente, hoy se informa segun se previene p.r la Prefectura de este Distrito. El paraje q.e se pretende p.r estencion ha pertenecido y pertenece al S.n Gab.l

Juan Bandini

Exmo Sor Gobernador

La Prefectura de este 2.o Distrito, impuesta de la inst.a con q.e dá principio este exped.te e informes q.e anteceden, cree que es de accederse a la Solicitud del interesado. Si asi fuere del Superior

agrado de V.E.; pues aunque el Sor Admor. de la Mision de S.Gabriel, Dn Juan Bandini expresa pertenecer dho terreno solicitado a aquel establecimto, se halla en igual estado a los demas que desde mas distancia hallaran correspondrle, pr. que hasta ahora no lo tiene ocupado y dista de la Mision como cinco o seis leguas

Tiburcio Tapia Narciso Botello

Srio

13 S.D.K.

Monterey Mzo 11 de 1841

Vista la solicitud con que dá principio este espediente, el informe del Señor Prefecto del 2o Distrito, con todo lo demas que se tuvo presente y ver convino, de conformidad con las leyes y reglamtos de la materia, se declara á los Ciudadanos Ygno. Palomares, Ricardo Vejar y Luis Arenas, dueños en propiedad de un sitio de ganado mayor en aumento al llamado S.Jose que fue adjudicado a los dos primeros. Líbrese nuevamente el titulo de propiedad del enunciado parage con el aumento referido a favor de los tres individuos mencionados, agreguese este espediente al promovido por Palomares y Vejar para la devida constancia y dese cuenta con él a la E. I. Departamental pa su aprovacion en la parte que respecta al aumento referido, tomandose la razon correspondte. Asi yo S. B. A. Gobernador Constitucional del Departamto. de las Californias lo mandé y firmé

Alvarado

14 S.D.K.

Sello tercero dos reales

Habilitado provicionalmente por la Aduana maritima del puerto de Monterey, en el Departamento de las Californias, para los años de mil ocho cientos cuarenta y mil ocho cientos cuarenta y uno

Ximeno Antonio Maria Osio

16

Adm. marit.e de Monty

128 SD
PAGE 17

Sor Prefecto del Distrito

Ang.s Agto 19 de 1841

De conformidad con las Leyes de la materia, informe el Juez 2.o de Paz, si el terreno q.e solicita el interesado corresponde a comunidad, corporacion o particular, y si es valdio, con todo lo demas q.e le parezca conveniente á ilustrar la materia y agregado el diseño correspond.te pase al P. Alto de la Mision de S.n Gabriel para que reproduzca el suyo en cuanto a aquella comunidad, y vuelva p.a los demas fines que sean concernientes

Argüello

Narciso Botello
Srio

El Ciudadano Luis Arenas, vecino de la Ciudad de los Angeles ante V.S. en la mejor forma que haya lugar comparezco y digo: que hallandose a la parte del Poniente del sitio que poseo un pedazo de terreno valdio y sin ningun aguaje puesto la mayor parte de chamisal, pues dicho terreno compone una lengueta formando el lindero con el Rio de San Gabriel y el camino de San Jose, y su extencion será menos de una legua, el cual pido se me agregue en propiedad al sitio que poseo, para que mis vecinos de campo puedan sin interruccion extenderse a causa de que el que poseo es algo escaso de pastos; por lo que espero se sirva V.S. informar sobre este asunto lo que á bien tuviere y elevar la presente á mano del Exmo Sor Gobernador, a fin de que Sa E. con su acreditada justificacion se digne de hacer de su agrado concederme lo q.e pido en punto; y por tanto

15 S. D. K

A V.S. suplico encarecidamente se sirva acceder a mi solicitud en que recibiré gracia. Sirvo lo necesario

Ang.s Agto 17 de 1841

17

Luis Arenas

Sor Pref.

En cumplimiento al Superior decreto que está al margen de esta instancia pasé en persona a examinar el terreno que pide el interesado, el cual aun que pertenece a la Mision de S. Gabriel se halla baldio y en su mayor parte lleno de chamizal por lo que si V.S. tiene =

16 s. D.K.

Sello tercero dos reales
Habilitado provisionalmente por la Aduana maritima del puerto de Monterey, en el Departamento de las Californias, para los años de mil ocho cientos cuarenta y mil ocho cientos cuarenta y uno.

Ximeno — Antonio Maria Osio

Adª marit.ª de Monty

= a bien se le puede conceder
Angº Agto 21 de 1841
Ygnº Mª Alvarado

S. Gabriel Setbre 7 de 1841

Con respeto de estar tan proxima la llegada del Ilmo Señor Obispo de esta California; y no sabiendo que aspecto tomaran las cosas con su presencia, ni lo que su Ilma con acuerdo del Supremo Gobierno de este Departamento hará de los terrenos de las Misiones ya concedidos, nada puedo informar yo en cuanto al que solicita el interesado pues es perteneciente á la Mision.

Fr. Thomas Estenaga

Exmo Señor

La presente Solicitud en ampliacion del terreno

17 s. D.K.

qe ocupa D. Luis Arenas, se haya enteramente baldio pr ser todo lo mas montuoso, y sin ningun agua,

Sin embargo del informe del P. Ministro q.e cre q.e con la benida del Sor. Obispo hasta los Sitios concedidos p.r el Gobierno se han de quitar; es de opinion esta Prefectura si V.E. lo tubiere á bien se le conceda pues segun oigo informado lo solicita solo con el fin de cuadrar el terreno de su sitio, p.r q.e no presenta bentaja ninguna p.a otra cosa; sin embargo de lo espuesto V.E. se servirá resolver lo q.e fuere de su superior agrado.

Ang.s 8bre 17 de 1844
J. Arguello
Narciso Botello
Srio.

18 S. D. K.

Monterey Noviembre 8 de 1844

Vista la peticion con que dá principio este espediente, el informe del Sor. Prefecto del segundo Distrito y el del Juez 2.o de la Ciudad de los Angeles, con todo lo demas que se tubo presente y ver convino, de conformidad con las leyes y reglam.to de la materia, se declara a D. Luis Arenas dueño de un sitio de ganado mayor en aum.to del terreno que se le concedió en 14 de Mzo del año p.o p.o, cuyos linderos se reconocerán en el Rio de Azusa, camino de San Jose y el terreno de este nombre. Líbrese el correspond.te despacho, agregue se este esped.te al que promovieron los Sres. Ignacio Palomares y Francisco Vejar, tome razon en el libro respectivo y dirijase este esped.te á la Exma Junta Departamental para su aprovacion.

El Sr. D.n Manuel Jimeno Casarin 1.er Vocal propietario de la Exma Junta Departamental en ejercicio del gobierno del gobierno del mismo así lo mandó, decretó y firmo, de que doy fee

19 S. D. K.

Jimeno
Jose Z. Fernandez Srio ínto

Office of the Surveyor General of the United States for California

I, Samuel King, Surveyor General of the United States for the State of California, and as such, now having in my office and under my custody a portion of the archives of

the former Spanish and Mexican Territory or Department of Upper California, do hereby certify that the twenty one preceding and hereunto annexed pages of tracing paper numbered from one to twenty one inclusive and each of which is verified by my initials (S.D.K.) exhibit true and accurate copies of certain documents on file and forming part of the said archives in this office.

In testimony whereof I have hereunto signed my name, officially, and affixed my private seal (not having a seal of office) at the City of San Francisco, Cal, the 17th day of September A.D. 1852

Saml D. King
Surv Genl Cal

Filed in office Oct 9th 1852
Geo: Fisher
Sec

21

Exhibit A.

Translation of Expediente.

To His Excellency the Governor.

The citizens Ygnacio Palomares & Ricardo Vejar, appear before you in the manner most effectual in law saying; that we have a considerable number of cattle & horses being our only means for the support of our families, which are now upon a place very small & inconvenient where they do not thrive, & the place being vacant which is known by the name of S.n José, distant some six leagues more or less from the Ex Mission of San Gabriel (adjacent) such of which place we will lay before your Excy as soon as possible. We respectfully ask you to grant us the said place, considering the smallness of the place in which we now are, for which cause it is that we appeal to your Excys goodness - whereby we shall receive favor & justice, praying that you will receive this on common paper there being none of the proper seal.

City of Los Angeles March 27th 1837.

For myself & for Ricardo Vejar who does not know how to write.

Ignc Palomares.

City of Los Angeles March 30th 1837.

Let the Ayuntamiento of the city of Los Angeles report whether the parties to this application possess all the legal requisites to have their prayer granted, whether the land they ask is vacant or whether it belongs to any individual, pueblo, or Mission or, belonging to any of these it may still be granted in conformity to the laws of colonization. This done, let the expediente be returned to the Government for its determination.

Alvarado.

Angeles. April 1st 1837.

Presented to the Ayuntamiento in its session of to day, this petition & decree of the Gov of the State, ad int. & referred to the committee on vacant lands to prepare

32c

the decree referred to.
Gil Ybarra. Narciso Botello.

To the Ayuntamiento.

The committee on vacant-lands in compliance with the preceding decree of his Excy the Gov, ad int. of the State, reports that the parties interested in this expediente are Mexican Citizens by birth, have rendered repeated services to this jurisdiction, & have a considerable stock of cattle & horses, sufficient for the place they ask according to the law on the subject, which stock is at present on a piece of land given to them temporarily, in common with other residents of this city, which is small & on which there is a scarcity of water & pasture. The place referred S^n José, referred to in this expediente, is now vacant, since although it has belonged to the Ex Mission of San Gabriel, the Committee is advised, it no appears there is not upon it a single head of cattle belonging to this community – Wherefore the Committee thinks that it is in a condition to be granted in conformity to the laws of Colonization.

City of Los Angeles April 7th 1837.

Bacilio Valdez. Felipe Lugo. Fran^co Portoy –

Angeles April 8th 1837.

The preceding decree having been approved, let this expediente be returned to the Governor, ad int. that he may proceed as may be proper.

Gil Ybarra. Nicolas de la Osa. Sec. ad int.

Santa Barbara, April 13th 1837.

In view of the petition with which this expediente begins, the report of the Ayuntamiento of the city of Los Angeles,

& all else relating to the matter & proper to be seen, in conformity to the laws & regulations upon the subject, the Citizens Ygnacio Palomares, & Ricardo Vejar are declared owners in property of the place called San José, in conformity to the deseo which they will attach to the petition & within the boundaries which it sets forth. Let the proper decree be issued & recorded in the proper book & let this expediente be transmitted to the Excellent Deputacion for the requisite approval. Don Juan B. Alvarado, Governor, ad int., of the State &c & Pres.t of the Deputacion so decreed, ordered & signed.

Juan B. Alvarado.

Most-Excellent-Sir.

The committee of vacant-lands to whom was referred the expediente presented by the citizens Yg.o Palomares & Ricardo Vejar, soliciting the place called San José, offers for your consideration the following proposition.

The place called S.n José is granted to the citizens Yg.o Palomares & Ricardo Vejar in order that they may possess it in property, they having the necessary qualifications, according to the law of the 18th of August 1824 & article 5th of the regulations of the 21st of November 1828. Sta Barbara April 16th 1837.

Antonio Buelna. José A. de la guerra y Camillo

Sta Barbara April 19th 1837.

In its session of to-day this body approved the proposition with which the foregoing opinion concludes, ordering the expediente to be returned to the Governor for the proceedings which are to follow.

Alvarado. Victor Prudon — Secy.

Monterey 14th of March 1840.

Whereas the citizens Ignacio Palomares, Ricardo

Bejar, & Luis Arenas have mutually agreed & have solicited for the benefit of the three the place called San José which was adjudicated to the two first by a decree of the 18th of April 1837, with an addition of one league de ganado mayor, on the West next to the mountain of San Gabriel, the necessary proceedings having been taken & inquiries made as required by the laws & regulations on the subject, in the exercise of the powers which are conferred upon me in the name of the Mexican Nation, I declare them the owners in property of the said place S.n José, with the addition of one league de ganado mayor.—

Don Juan B. Alvarado, Constitutional Governor of the California thus ordered, decreed & signed, to which I certify.

To the Prefect-ad. int. of this District.

Luis Arenas a native of Hermosillo in the Department of Sonora & a resident of this city, with the proper respect & in conformity to law represents— That his Excy the present Governor Don Juan Bautista Alvarado, granted him since last year the right to the third part of the land known by the name of S.n José, thus making him associated with the citizens Ignacio Palomares & Ricardo Bejar. His Excy granting for the benefit of the three a league more of land as an augmentation of what Palomares & Bejar now possess. In order to be admitted as a partner of those two persons, the subscribed was recommended by his Excy the said Governor in a letter of that date directed to Palomares. Various circumstances have prevented the subscribed from presenting himself formally as now he does, praying that you will grant him the said league of land, & for the part called Luza, in the direction of the Mission of San Gabriel, the diseño (map) of which he will present to you as soon as possible—

Wherefore he prays that you will grant his request & done accordingly, from which he will receive award & justice, & that this may be admitted on this common paper there being none of the proper seal.

Angeles, Dec 16th 1839. Luis Arenas

Angeles Dec 20th 1839.

Let this application be passed to the citizens Ygn° Palomares, & Ricardo Vejar, in order that they may report as to its contents, & then to the Adm° of the Mission of S.n Gabriel that he may on his part, say what he may wish; it being understood that the party shall attach the proper diseno, & let it be returned for further proceeding.

Narciso Botello — Secy. Tapia.

To the Prefect of this District.

The subscribers Ygnacio Palomares & Ricardo Vejar, in compliance with your foregoing superior marginal decree & for so much as relates to them, say that they have both agreed to admit the citizen Luis Arenas, the party interested in the present respectable, as a partner in the ranchos of S.n Jose, in consequence of its being so recommended by his Exc.y the Gov. Don Juan Bautista Alvarado, by a letter sent to the subscriber first named, offering further so doing to grant a league more of land in addition, out of the place towards the angle called Susa, in the direction of the Mission of San Gabriel, that being the part most proper for such extension.

Angeles Dec 21st 1839.

Ygn° Palomares. Ricardo Vejar. +

San Gabriel January 20th 1840.

Having yesterday received this respectable at the Mission, to day the report is made as directed by the

Prefecture of this District. The place asked for as an extension has belonged & does belong to S.ta Gabriel.

Juan Bandini.

To His Excellency the Governor.

The Prefecture of this 2.d District, to which was referred the petition with which this expediente begins & the preceding reports, thinks that the petition of the party should be granted, if it should seem proper to your Excy; since although D.n Juan Bandini Admor of the Mission of San Gabriel declares that the said land which is solicited belongs to that establishment, it is in the same state as the rest which for a much greater distance is said to belong to it, because it is not now occupied & is some five or six leagues distant from the Mission.

Narciso Boletto — Secy. Tiburcio Tapia.

Monterey April 11th 1840.

In view of the petition with which this expediente begins, & the report of the Prefect of the 2.d District, with anything else known & to be considered, in conformity with the laws & regulations on the subject, the citizens Ygnacio Palomares, Ricardo Vejar & Luis Arenas are declared owners in property of one legua de ganado mayor as an augmentation to the place called San Jose which was adjudicated to the two first named. Let the title in property of the said place with the augmentation referred to be again issued in favor of the three individuals mentioned, let this expediente be attached to that presented by Palomares & Vejar, for the proper evidence & let them be presented to the Departmental Assembly for its approval so much as relates to the augmentation & let them be properly recorded. Thos. A. B.

27

Alvarado, Constitutional Governor of the Department of the Californias ordered & signed.

Alvarado.

To the Prefect of the District.

I, the citizen Luis Arenas, a resident of the city of Los Angeles, in the form which may be best in law, appear before you & say, that there is on the West of the place which I own a piece of vacant land on which there is no spring & which is mostly covered with a thicket, the said land being a slip bounded by the river San Gabriel & the road from San José & containing less than a league, which I ask may be given me in property in addition to the place I own, in order that my cattle may have more room, pasture being scarce upon my land, for which I hope that you will be pleased to report what may seem proper upon the subject & place this in the hands of his Excy the Governor, in order that he may with his own well known justice, if he should think it right, do what I have requested. Therefore I pray you to grant this petition by which I shall receive favor. I make the necessary oath &c.

Angeles, August 17th 1841. Luis Arenas.

Angeles August 19th 1841.

In conformity with the law upon the subject let the 2d Justice of the Peace report whether the land solicited is Justice of the Peace the property of any community, corporation or individual & if it is vacant, with anything else which may appear calculated to throw light on the matter, & the diseño being attached, deliver it to the Minister of San Gabriel in order that he may make his report as that community & then let it be returned for further proceedings.

Narciso Botello. Secy. Arcoiello.

36

To the Prefect.

In obedience to the superior decree on the margin of this petition, I proceeded in person to examine the land which the party asks for, which, though it belongs to the Mission of S.n Gabriel is vacant & the greater part of it covered with a thicket, wherefore, if you think proper it may be granted.

Angeles, August 21st 1841. Ygn.o M.a Alvarado

San Gabriel, Sept 7th 1841.

The Bishop of California being expected to arrive shortly & not knowing what course things will take upon his arrival, nor what he, in concert with the supreme Government of this Department, may do with the Mission lands already granted, I can report nothing as to the petition of the party, for this land belongs to the Mission.

S.n Thomas Estenaoc

To His Excellency.

The land solicited as an augmentation to that which D.n Luis Arenas occupies is entirely vacant, almost all of it being barren & without water. Notwithstanding the report of the Rev Minister, who believes that new those places which have been granted will have to be given up when the Bishop arrives, it is the opinion of this Prefecture that, if your Excy thinks proper, this land may be granted, since according to my information, it is solicited only for the purpose of giving a better shape to another place, for it is of no advantage for anything else. Nevertheless from what is shown your Excellency can determine. S. Urquelle

Angeles Oct 17th 1841. Narciso Botello. Secy.

Monterey, Nov 8th 1841.

In view of the petition with which this Expediente

29

128 SD
PAGE 30

begins, the report of the Prefect of the 2d District & that of the 2d Judge of the city of Los Angeles, with everything else known & proper to be considered, in conformity to the laws & regulations on the subject, I declare Don Luis Arenas owner of one league de ganado mayor in augmentation of the land granted to him on the 14th of March of last year, boundaries of which are the River of Azusa, the San Joze road & the land of that name. Let the properdence be issued, let this expediente be attached to that of the citizens Ignacio Palomares & Ricardo Vejar; let it be recorded in the proper book & let this expediente be laid before the Departmental Assembly for its approval.

Don Manuel Jimeno Casarin
First Vocal of the Departmental Assembly exercising the powers of Governor thus ordered, decreed & signed, to which I certify.

Jimeno.

José Ma. Fernandez.
Secy ad int.

Filed in Office Oct 9th 1852.
Geo: Fisher.
Secy.

180

PAGE 20

Here follows map

30

128 SD
PAGE 31

Agreement of Counsel.

It is agreed that the deposition of Ignacio del Valle, taken in the claim of Henry Dalton to Azuza - which case is No 364, on the Docket of the Commissioners - with the accompanying papers, may be read as evidence in the claim of Ricardo Yegar, which is No 388 on said Docket - in like manner & with the same effect as if said deposition had been taken in said last mentioned case.

Los Angeles, October 23d 1852.

Robert Greenhow
Associate Law Agent of the U. S.

A. P. Ord Atten dent
Attys for Ricardo Yegar.

Filed in Office Oct 23d 1852.
Geo: Fisher.
Secy.

130

Exhibit B.
Translation of original title of Ignacio Palomares & Ricardo Bejar & approval

The Citizen Juan Bautista Alvarado, Constitutional Governor of the state & President of the Excellent Deputation of the same.

Whereas the citizens Ignacio Palomares & Ricardo Bejar, Mexicans by birth have solicited for their personal benefit & that of their families the land known by the name of San José, within the boundaries of the diseño (map) which accompanied their petition: the proper proceeding having been first taken as required by the laws & regulations on the subject, in the exercise of the powers which are conferred upon me, in the name of the Mexican Nation, I have granted to them the said land declaring it their property by these presents, the said concession being understood to be in entire conformity to the laws, subject to the approval or disapproval of the Excellent Deputation & under the following conditions.

1st Neither the grantee nor his heirs shall have power to divide, nor sell what is given to them, nor to impose upon it any tribute, entail, trust, mortgage nor other charge, though it may be for pious cause, nor to transfer it in mortmain.

2d They may enclose it without injuring the crossings, roads or servitudes, they may enjoy it freely & exclusively applying it to the cultivation & uses which suit them best.

3d When the property is confirmed to them they shall solicit the proper Judge to give them judicial possession in virtue of this diseño, by whom the boundaries shall be marked & its monuments established.

4th The land of which a donation is made them is exactly that stated in the petition of the parties & designated in the diseño (map) attached to this expediente, & the Judge who shall give possession shall inform this Government of the number of leagues it contains.

Wherefore I order, that these presents among all

a title & being held firm & valid, be recorded in the appropriate book & delivered to the parties for their security & other convenient purposes.

Given at the Ex Mission of Sta Barbara the 15 of April 1837.

Juan, B. Alvarado — Victor Prudon.
Secy. ad int.

Santa Barbara April 19th 1837.

In session to day the Excl Deputacion approved the proposed decree of the committee of vacant lands which is littorally as follows.

The plce called San José is granted to the citizens Ygnacio Palomares, & Ricardo Vejar, as they have the necessary requisites in conformity to the law of the 18th of August 1824 & the Art 5. of the regulation of Nov 21st 1828 —

José Antº de la Guerra y Camilo.
Antonio Buelna.

Alvarado
Prest.

Victor Prudon.
Secy.

The party shall replace the proper sealed paper attaching to this decree the stamped sheet of the value of five dollars —

Alvarado.

Filed in Office Oct 9th 1852.

Geo: Fisher
Secy.

175

Exhibit C.
Translation of Title.

Juan B. Alvarado, Constitutional Governor of the Department of the California.

Whereas the citizens Ignacio Palomares Ricardo Negar & Luis Arenas have agreed amongst themselves & solicited for the benefit of the three the place called San Jose which was adjudicated to the two first by decree of the 13th of April 1837, with an augmentation of one league de ganado mayor on the West next to the mountains of San Gabriel, the proper proceedings having been first taken and inquiries made as required by laws & regulations upon the subject, in the exercise of the powers which are conferred upon me in the name of the Mexican Nation, I declare them owners in property of the said place subject to the approval of the Departmental Junta & to the following conditions.

1st They shall have power to enclose it without injury to the crossings, roads & servitudes, they may enjoy it freely & exclusively, applying it to the use or cultivation that may best suit them; but within one year they shall build a house & it shall be inhabited.

2d The land of which donation is made to them is that called San Jose, granted by decree of the 13th of April 1837 & one league de ganado mayor of augmentation as appears in the diseno (map) accompanying the proper expediente. The Judge who shall give the possession shall have it measured in conformity to the ordinance, leaving the surplus which remains to the nation for its uses.

3d When the property is confirmed to them they shall solicit the proper Judge to give them juridical possession in virtue of this decree, by whom the boundaries shall be marked on the limits of which shall be placed in addition to the land marks, some fruit-trees, or forest trees of some utility.

4th. If they shall violate these conditions they shall lose their right to the land & it may be denounced by another.

Wherefore I order, that this serving as a title & being held firm & valid, be recorded in the proper book & delivered to the parties interested for their security & other purposes.

Given in Monterey the 14th of March 1840.

Juan B. Alvarado.

Manuel Jimeno
Secy.

This decree is recorded in the book of entries of adjudications of vacant lands at page 2.

Jimeno

His Excy the Governor ordered that this title be recorded in the prefecture of the 2d District

Jimeno.

Angels April 2d 1840.

On this day this decree was recorded in the proper book of this Prefecture a page 2 — wherefore the parties will apply to one of the Judges of this city soliciting the possession of the place referred to.

Narciso Botiller.

Filed in Office Oct 9th 1852.

Geo. Fisher
Secy.

Copia
de la posesion del Rancho de
San Pose
á favor de Ricardo Vejar

Año de
1846

Exhibit D

Annexed to the deposition of Ygnacio del Valle Octo. 23d. 1852

H. H.

Juan Gallardo, Alcalde primero y Juez de primera instancia de la Ciudad de los Angeles y su demarcacion &a

Certifico que en el Protocolo de este año á fojas cuarenta y dos vuelta se hayan unas diligencias del tenor siguiente — " Nota — Hoy veinte y siete de Febrero de mil ocho cientos cuarenta y seis, que se concluyó el arreglo del espediente del reparto del Rancho de San Jose, suplicaron las partes se agregase al Protocolo, Y yo el Juez accediendo a la solicitud, mande que hoy dia de la fecha se agregue al citado Protocolo como efectivamente consta agregado y lo pongo por diligencia que autorizé y firme con los de mi asistencia segun derecho — Juan Gallardo — asistencia Ygnacio Coronel — asistencia Luis Jordan — En la fecha que arriba consta se agrega al espediente de Dalton y Socios — rubrica — Sor Juez y Alcalde primero de esta Ciudad — Ricardo Vejar y Enrrique Dalton vecinos de esta jurisdiccion y y dueños del rancho de San Jose; ante uste en toda forma y con arreglo a derecho, nos presentamos esponiendo: Que estando reconocida la propiedad en tres acciones, pertenecienda una á la parte de Don Ygnacio Palomares y conviniendo al interes de los que representamos hacer la division de terrenos en el mencionado rancho, esperamos se sirva uste ordenar la particion conforme á las leyes para que cada uno de los propietarios fije los linderos respectivos como requisito esencial en los titulos de aquisicion: por tanto — A. V. Sor Juez pedimos haga de conformidad con nuestra Suplica, sometiendonos á pagar los derechos que de justicia á cada uno nos corresponda. Juramos lo necesario &a. y esperamos admita uste la presente en papel comun por falta del sellado en lugar — Angeles Noviembre diez y siete de mil ocho cientos cuarenta y cinco. Arruego de

Corregido

2

Don Ricardo Vejar = Juan Bandine = Enrrique Dalton =
Angeles Noviembre diez y ocho de mil ocho cientos cuarenta
y cinco = Por presentados y admitidos en cuanto haya
lugar en derecho hagase comparecer al Señor Don Ygnacio
Palomares como uno de los accionistas en el terreno que se
menciona, como igualmente á los Solicitantes; para que
impuesto el Juez de sus esposiciones, proceda a practicar las
diligencias respectivas con arreglo a derecho. Asi yo Visente
Sanchez, Alcalde primero y Juez de primera instancia.
decreté, mandé y firmé con los de asistencia segun derecho =
Visente Sanchez = asistencia Antonio F. Coronel = asistencia
Dolores Sepulveda = Angeles Diciembre dos de mil ocho
cientos cuarenta y cinco = En la fecha compareció Don
Ygnacio Palomares y como no estan en este punto los
Solicitantes se le notificó la antecedente Solicitud de los
Señores Dalton y Vejar, he impuesto de su contenido dijó:
que el no se opone a la particion del Rancho de San Jose
como accionista, dandole la parte que le pertenezca; pues el
es conforme con el reparto para reconocer su propiedad legitima;
pero si se opone a pagar los gastos que por su parte le toquen
á consecuencia de haber echo mayores pagos p.a conseguir el
referido Rancho; por cuyo motivo si los Señores Vejar y
Dalton los sufragen del reparto que se haga, está pronto
á que se verifique cuando gste: esto contesto y firmó con
migo y los de asistencia = Visente Sanchez = Ygnacio
Palomares = asistencia Antonio F. Coronel = asistencia
Luis Jordan = Angeles Diciembre trese de mil ocho
cientos cuarenta y cinco = En la fecha compareció Don
Enrrique Dalton, por no aparecer el Sor Vejar he impuesto
de lo que dice el Señor Palomares contesto: que no puede
3 por su parte ser responsable á los derechos que le correspondan
al Sor Palomares; pues por su causa no a erogado este
Señor ningun gasto, quedará obligado por los que por su
parte le corresponda. Esto dijó: y firmó conmigo y los

de asistencia — Vicente Sanchez — Enrrique Dalton — asistencia Antonio F. Coronel — asistencia Luis Jordan — Angeles Enero diez y nueve de mil ocho cientos cuarenta y seis — Habiendo suplicado los Señores Don Enrrique Dalton y Don Ricardo Vejar se efectue el reparto del rancho de San Jose: pasen por mi y testigos de asistencia ejecutese la repartacion del Rancho: y si aparece que el Sor Don Ignacio Palomares satisfago los gastos de la otra posesion se impartiria la justicia a quien la tenga. Asi yo Juan Gallardo Alcalde primero y Juez de primera instancia decreté y firmé con los de asistencia segun derecho — Juan Gallardo — asistencia Ignacio Coronel — asistencia Francisco Ballentos — En seis de Febrero de mil ocho cientos cuarenta y seis, pasé oficio á los Señores Colindantes manifestandoles que se iba hacer nueva remedicion del rancho de San Jose con objeto de levantar diagrama y hacer el reparto del sitio a los Señores Don Enrrique Dalton, Don Ignacio Palomares y Don Ricardo Vejar; y no habiendo manifestado ninguna ecepcion se pone por diligencia — Juan Gallardo — asistencia Antonio F. Coronel — asistencia Bacilio Valdez — Acto continuo nombré dos oficiales Cordeleros que lo fueron Don Diego Sepulveda y Don Ignacio Reyes, a los que se les tomó juramento, por el que ofrecieron desempeñar fiel y legalmente el Cargo que se les habia dado, y se pone por diligencia — Juan Gallardo — asistencia Antonio F. Coronel — asistencia Bacilio Valdez — Enseguida

4 y en vista de ir el agrimensor Don Gaspar Farrell, el que iba por peticion de los interesados con objeto de medir escrupulosamente el terreno y levantar el Diagrama ó diseño respectivo, lo hice comparecer ante mi y testigos de asistencia, y le recibi juramento en forma de derecho bajo el cual ofreció desempeñar fiel y legalmente su oficio y hacer las medidas con la ecsactitud, en cuyo

Corrgo

testimonio firmó conmigo y los de asistencia segun derecho = Juan Gallardo = Jaspar ó Farrell = asistencia Antonio F. Coronel = asistencia Bacilio Valdez = Enseguida y hallandome ya en los terminos de San Jose con los oficiales, cordeleros y el Agrimensor Don Jaspar Farrell para comenzar las remedidas y el reparto respectivo á los Señores Don Enrrique Dalton, Don Ignacio Palomares y Don Ricardo Vejar hizé medir un cordel constante de cincuenta varas al que se ataron á sus estremos unos Jarcos de madera y por mi disposicion se iba a tirar el primer cordel, cuando el Agrimensor manifestó que como la Sierra del mencionado Rancho de San Jose y Azusa tiene diferentes vueltas y por cuya causa era necesaria una medida trabiosa y ir multiplicando las varas cuadradas que tubiese la superficie del terreno; suplicaba al presente Juez fuese observando el acto y daria el plano general con su aplicacion respectiva: entonces el Juez que subscribe caminó al lado del agrimensor que iba echando los cordeles respectibos hasta que cerró la noche que se suspendió el acto y se pone por diligencia que autorizé y firmé con los de asistencia segun derecho = Juan Gallardo = Jaspar o Farrell = asistencia Antonio F. Coronel = asistencia Bacilio Valdez = Razon = el dia siete se comenzaron y siguieron las medidas como el dia anterior, suspendiendose a la entrada de la noche = rublica = El dia ocho de Febrero del mismo año siguieron las medidas como los dias anteriores, y se suspendieron por ser entrada la noche = rublica = En nueve del mismo mes y año continuaron las medidas bajo el mismo orden, y se suspendieron por ser entrada la noche = rublica = En diez de Febrero del propio año se continuaron las medidas bajo el mismo órden y en los propios terminos y se anota para constancia = rublica = El dia once se ocupó en levantar el diagrama o plano general del Rancho y cuyo plano se haya agregado á cincuenta y una fojas

Corrgo

128 SD
PAGE 40

del Protocolo; y su explicacion es la siguiente: se comen=
=zaron las medidas en las lomas de San Felipe mojonera
A. y a. b. c. d. e. f. g. h. i. K. segun aparece alli
en las letras minusculas; y resultó por medida recta como
demuestra linea A. B. (mayusculas) veinte y un mil
setecientas sesenta varas rumbo E. 12.º grados 15.º minutos
al S. concluyendo por aqui hasta el arroyo de San Antonio
letra B. = En este lindero se cambió el rumbo y se tomó
una medida obligada como lo manifiestan las letras K. b. m.
en virtud del mucho monte que tenia el terreno; dando por
resultado esa medida en su linea recta C. D. el tamaño
de diez y siete mil setecientas varas de largo: rumbo S.
13.º grados al W. que concluyeron en la piedra que se haya
en una lomita mojonera D. y lindero con el rancho del
Chino. = De este punto se tiró otra medida oblicua,
por equivoco de los individuos que enseñaban los linderos, y esta
demostrada con las letras, m. n. o. p. que dió por verdadero
tamaño sesenta y seis mil quinientas varas, rumbo E.
6 37.º grados al N. y se señaló con las letras D. E. que
concluyeron en un postesuelito donde está una piedra por
mojonera = De este lugar se tomó el rumbo E. 38.º grados
N. y resultaron tres mil novecientas veinte varas que
concluyeron en un nogal que está a la falda de una lomita
que es lindero con Jose de la Luz Linares linea E. p. Del
nogal se tomó el rumbo N. 24.º grados, 35.º minutos
O. y direccion al encino de la Tinaja, y se contaron seis
mil dos cientas noventa varas que remataron en el
expresado encino segun se demuestra en la linea p. q. De
este encino de la Tinaja como mojonera marcada se tomó
el rumbo de O. 18.º grados al S. para la orilla del
Camino que va á San Ace y se contaron dos mil seis
cientas varas que remataron en la mojonera lomita
Colorada linea marcada con q. De esta lomita
Colorada se tiró (por equivoco) la medida un poco

Corrgo

128 SD
PAGE 41

dentro del lindero segun demuestran las letras V. S. ¡pero reconocido el equivoco se tomó el lindero y resultaron por medida verdadera seis mil trecientas veinte y cinco varas, rumbo N. 16.º grados al O. que concluyeron en la esquina del Corral que está en una lomita donde se haya la casa del rancho de Azusa — De este punto S. se tiró la medida hasta un poco dentro del lindero, por venir así la anterior, pero tomada la linea recta S. A. resultaron dos mil cien varas i rumbo N. 21.º grados al E. que se concluyó en la lomita donde se dió principio a las medidas. — En seguida manifestó el Sor agrimensor que las letras mayusculas son las que marcan los verdaderos linderos, y las minusculas p. q. r. ¡pero las demas minusculas no hacen mas de manifestar las medidas que se tomaron segun los motivos espuestos ántes — A continuacion advirtió el precitado Agrimensor que la variacion del rumbo en el referido Diagrama es de 12.º
7 grados al Nordeste, con que se concluyo el acto á satisfaccion de las partes ¡ lo que pongo por diligencia que autorizo y firmo con los de asistencia segun derecho — Juan Gallardo — Gaspar o Farrell — asistencia Antonio F. Cornel — asistencia Pacilio Valdez — Incontinenti procedí al reparto y posesion del terreno, dando á cada uno de los tres Socios Don Enrique Dalton, Don Ignacio Palomares y Don Ricardo Vejar, y todos se conformaron menos Don Ignacio Palomares, el cual sin la urbanidad y respectos devidos se marchó diciendo que no era conforme, y solo di solemne posesion á los indicados Dalton por medio de su apoderado Don Hugo Reid y á Don Ricardo Vejar, los que quedaron conformes con la tercera parte del Rancho de San Jose y poseedores de sus sitios, con lo que se dió final acto que autorizé y firmé con los de asistencia segun derecho — Juan Gallardo — asistencia Antonio Franco Cornel — asistencia

Corregdo

42

Bacilio Valdez — Angeles Febrero doce de mil ocho cientos cuarenta y seis. — Dese testimonio a las partes que lo solicitan para su seguridad y resguardo. Así yo Juan Gallardo Alcalde primero y Juez de primera instancia decreté, mandé y firmé con los de asistencia segun derecho — Juan Gallardo — asistencia Antonio R. Bornel — asistencia Bacilio Valdez — Nota al fin de este expediente se colocó el diseño ó Diagrama y se anota para constancia — rublica — Razon — se dió testimonio en la fha — rublica —

Concuerda con su original a que me refiero y se halla en el Protocolo de este año, del que se sacó, corrigió y confrontó en esta, siete fojas de papel comun por falta de sellado, y se agregan en la octava dos Diagramas

Juan Gallardo

asta
Ygo. Bornel

asta
Juan Bonet

Filed in office Oct. 9th 1852
Geo: Fisher
Sec

Annexed to the deposition of Ignacio del Valle Oct. 23d. 1852
Geo: Fisher
Sec

Mak
No 21 & 5

43

inch 9610

Exhibit D.
Translation of Act of partition between Ignacio Palomares — Henry Dalton & Ricardo Vejar.

128 SD
PAGE 44

I, Juan Gallardo 1st Alcalde & Judge of the 1st Instance of the city of Los Angeles & its jurisdiction — Certify that in the record of this year at page forty & the two pages opposite there are found certain proceedings as follows. This 27th of February 1846 the expediente of the division of the rancho of San José being concluded, the parties prayed that it should be attached to the record, & I the Judge, according to the request, ordered that on this day it should be attached to the record, as was done, which I authorize & signed with my assisting witness according to law. Juan Gallardo — Asg Ignacio Coronel — Asg Luis Jordan. On the above date it appears that it was attached to the expediente of Dalton & his associates —

Certificate —

To the Judge & 1st Alcalde of this City.

Ricardo Vejar & Henry Dalton, residents of this jurisdiction & owners of the rancho of San José, in all form & according to law, present ourselves before you showing. That the property in said rancho being in three undivided shares, one of which belongs to Don Ignacio Palomares, & it being for the interest of those which we represent to make a partition of the lands of said rancho, we hope that you will be pleased to order the partition in conformity to the laws, in order that each one of the proprietors may fix the respective boundaries as is essential for titles of acquisition. Wherefore we pray you to do as we request, subjecting ourselves to the payment of the dues which of right are chargeable to each one of us. We take the necessary oath &c & hope you will receive this on common paper for want of sealed in the place.

Angeles, Nov 1o 14th 1845 —

At the request of Dn Ricardo Vejar, Juan Bandini
Enrique Dalton

Angeles Nov 18 — 1845 —

552

Having been presented & allowed as far as may be legally done, let Don Ignacio Palomares, as one of the joint owners of said land equally interested with the petitioner, be summoned to appear, in order that the Judge having heard what he may have to say, may proceed to take the necessary steps in conformity to law. Thus I, Vicente Sanchez, 1st Alcalde & Judge of 1st Instance decreed, ordered & signed, with assisting witnesses, according to law = Vicente Sanchez – Asesg. Antonio F. Coronel – Asesg. Dolores Sepulveda.

Angeles, Dec 2d 1845.

On this day appeared Don Ignacio Palomares & the petitioner not being present at this place, he was notified of the preceding application of Dalton & Yeper & when informed of its contents, said that he is not opposed to the partition of the rancho of San Jose as a joint owner receiving the part which may belong to him, but agrees to it in order to know what is his own property, but that he is opposed to paying his share of the expenses on account of already having already made greater payments in obtaining the said rancho, for which reason of Yeper & Dalton, will pay for the division which may be made, he is ready to proceed in it. He thus answered & signed with me & assisting witnesses. Vicente Sanchez. Ignacio Palomares. Asesg – Antonio F. Coronel. Asesg – Luis Bordon.

Angeles, Dec 13 – 1845.

On this day appeared Henry Dalton, Dn Ricardo not appearing, & I informed him of what was said by Palomares, to which he replied – that for his part he cannot be responsible for the expenses of Palomares, who had not incurred any expenses on his account – that he will

300

responsible for his own share of the expense. This he said & signed with me & assisting witnesses. Nicolas Sanchez. Enrique Dalton. Asesor. Antonio F. Coronel, Asesor — Luis Gordon.

Angeles Janry 19 1846.

Don Enrique Dalton & Don Ricardo Vejar having prayed a partition of the ranchos of San Jose, let assisting witnesses go with me to make such partition, & if it appear that Don Ygnacio Palomares paid the expenses of the other possession, the costs will be apportioned agreeable to justice. Thus I, Juan Gallardo, 1st Alcalde & Judge of the 1st Instance decreed & signed with assisting witnesses according to law — Juan Gallardo. Asesor — Ygnacio Coronel. Francisco Ballesteros, Asesor —

On the 6th of Feby 1846, I gave notice to the adjoining owners that I was going to make a new measurement of the rancho of San Jose, for the purpose of preparing a map & making a partition of the place between Enrique Dalton, Don Ygnacio Palomares & Don Ricardo Vejar — & no objection being shown this is entered officially. Juan Gallardo — Asesor. Antonio F. Coronel. Asesor — Bacilio Valdez.

Act continued — I named the chain bearers Don Diego Sepulveda & Don Ygnacio Reyes, to whom an oath was administered faithfully & legally to discharge the duty imposed upon them, all which was done officially.

Juan Gallardo.

Asesor Antonio F. Coronel. Asesor. Bacilio Valdez.

Afterwards Don Gaspar Farrell having been selected by the parties as the Surveyor to measure the land exactly & to prepare the proper map, I caused him to appear before me & administer the oath to him in due form of law, that he would faithfully & legally discharge the duties of his office & would make the measurements

with exactness. In testimony of which he signed this with me & with assisting witnesses according to law.
Juan Gallardo – Gaspar O'Farrell –
Asg. Antonio F. Coronel. Asg. Basilio Valdez.
Afterwards being upon the lands of San Jose, with the chain bearers & surveyor Dn Gaspar Farrell, in order to commence the measurements & the division between the said Dalton, Palomares & Vejar, I caused a cord to be measured one hundred varas in length, to the extremities of which were attached some pieces of wood, & was about beginning the measurements, when the surveyor stated, that as the sierra of the said rancho of San Jose & Arroza was very crooked, it was necessary to measure across to it & to calculate the space between it & the line run in the plain, & he asked the Judge to observe the survey while being made, saying that he would afterwards give the general map with the necessary explanations. The Judge then left with the surveyor while measuring until night fall when the work was suspended, which is entered officially as Authorized & signed with assisting witnesses according to law. Juan Gallardo – Gaspar O'Farrell. Asg. Antonio F. Coronel. Asg. Basilio Valdez.
On the 7th the work was resumed & prosecuted till night as on the former day. Rubric –
On the 8th of Feby of the same year the work was resumed as on the former days & suspended at night – Rubric.
On the 9th of the month & year the measurement was continued as before till night. Rubric –
On the 10th of Feby it was continued in the same manner – Rubric.
The 11th was occupied in making the map or general plan of the rancho, which map is attached to the 51st page of the Record – & is explained as follows. The surveyor

47

commenced at the hills of San Felipe at A. & continued along the line shown by the small letters, a. b. c. d. e. f. g. h. i. k. the distance along the straight line A. B. (respitato) being 21.760 varas – the course E. 12° 15' S. the line terminating at B. on the Arroyo of San Antonio. At this point the course was changed & an obligne line taken in consequence of the mountain character of the land, as shown by the letters k. l. m – the measurement giving as a result on the straight line l. D. a length of 17.700 varas, on a course S. 13° W. terminating at a rock on a small hill at D in the boundary of the rancho del Chino – From this point another line was drawn measured, obligne, by mistake of those who showed the boundary & which is shown by the letters m. n. o. p. giving as the true length of the line D. E, which terminates at the Portezuelo where there is a rock to mark the boundary, 6650 varas – course E. 37° N. – From this place E. 38° N. 3920. varas, line E. p. to a walnut tree on the slope of a small hill, which is the boundary of Dn Jose de la Luz Linares – From the walnut tree N 24° 35' W, in the direction of the oak at the water hole – 6290 varas as shown by the line p. q. to said oak. From the oak of the water hole marked as on the boundary W 18° S. 2500 varas to the edge of the road which goes to San Jose & to the Arroyo Colorado, as the boundary – the line marked q – From the red hill the line N. I, was run a little inside of the boundary, by mistake, but the mistake being discovered, the proper line was taken, measuring 6325 varas N 26° W. to the corner of the corral on a small rise where the house of the rancho de Alenza is situated. From this point S. the line ran a little within the boundary to reach the starting point – the true line A. G. it being N. 21° E. 2500 varas & terminating at the hill where the survey was begun – The surveyor then stated

450

that the capital letters & the small letters p. q. r. are those which shew the boundaries – while the other small letters only show the measurements made for the reasons herein given. Afterwards the said Surveyor Tre declared that the variations of the compass was 12° N.E. & this proceeding was then concluded to the satisfaction of the parties – Done officially – Authorized & signed with assisting witnesses according to law. Juan Gallardo – Jaspar O'Farrell. Asg. Antonio F. Coronel. Asg. Bacilio Valdez.
Immediately I proceeded to the division of said land between the three persons associated Don Enrique Dallon. Don Ygnacio Palomares. & Don Ricardo Vejar, to which all assented except Don Ignacio Palomares who suddenly & disrespectfully went away saying that he would not agree to it, & I gave formal possession only to Don Ricardo Vejar & to the said Dallon, through his Attorney Don Hugo Reid – who were satisfied with their portions as the third part of the rancho of San José & remained in possession thereof, & this proceeding terminated – This act Authorized & signed with assisting witnesses according to law. Juan Gallardo. Asg. Antonio Franco Coronel. Asg. Bacilio Valdez.
Angeles Feby 12th 1846.
Let a copy be given to the parties who requested it for their protection – Thos S. Juan Gallardo, 1st Alcalde & Judge of 1st Instance decreed, ordered & signed with assisting witnesses according to law – Juan Gallardo. Asg. Antonio F. Coronel. Asg. Bacilio Valdez.
Note. At the end of this expediente is the map or plan certified. – Rubio –

Compared with the original which is among the records of this year, & examined & corrected, on these

49

seven pages of common paper for want of sealed, both maps being attached to the eighth page.

Juan Gallardo.

Asg.
Ygo Coronel.

Asg.
Juan Bonet.

Filed in Office Octo 9th 1852.

Geo: Fisher.
Secy.

Exhibit M.
Translation of Juridical possession given under the original title to D. Ricardo Vejar & D. Ygnacio Palomarez.

At the city of Los Angeles in Alta California on the 2d of August 1837 at the request of D. Ygnacio Palomares & D. Ricardo Vejar for the proper possession of the place or ranche called San José granted by the Govt of this Territory the surveyor D. Carlos Bani having agreed to remarcate said land according to the former measurements which were made, a diseño (map) of which land the parties will attach to the expediente, let asesg witnesses go with me to said place & let proceedings be taken to give the said possession being regulated by the title or deeds granted by the Political Chief, dated 13th of April last — The citizen José Sepulveda 2d Constitutional Alcalde of said City thus decreed, ordered & signed, with assisting witnesses on this common paper, there being none sealed — to which I certify.

José Sepulveda.

Asesg Narciso Botello. Asesg. Pablo Vejar.

On the same day, month & year, being at the Ex Mission of St Gabriel, the subscribing Judge gave notice to the Admr of St mission, José Perez, explaining to him the purpose for which he was going to San José, as it belonged to that community — that he was going to remarcate it & put D. Ygnacio Palomares & D. Ricardo Vejar in possession of it. He having made no objection, I ordered him, I should proceed Done officially, authorized & signed with my asesg witnesses — as I certify — José Sepulveda — Asesg Narciso Botello. Asesg. Pablo Vejar.

On the ranche of San José the 3d of August 1837, I, the proper Judge, for the prosecution of these proceedings, named two chain bearers (whose names are omitted not knowing how to write) & made known their appointments to them, which they accepted, taking the oath faithfully to discharge their duties, authorized & signed with my assisting witnesses according to law. José Sepulveda.

Asesg Narciso Botello. asesg. Pablo Vejar.

On the same day, month & year, being on the place at the point of the hills called the Lomas of Sta Ana, for the purpose of verifying the measurements & possessions of the place named San José to D. Ygnacio Palomares & D. Ricardo Yorba, all the requisites of the law being complied with & the dest witnesses, the chain bearer & Surveyor D. Carlos Bani being before me, I caused a cord to be measured containing one hundred varas, which was examined & approved by the Surveyor, & to the ends of it were attached stakes of wood; after observation & calculation by the Surveyor, at his direction the measurement was commenced from the foot of a black willow tree which was taken for a corner & between the limbs of which a dry stick was placed in the form of a cross, thence from the East towards the West 9700 varas to the foot of the hills called las lomas de la Puente, taking for a land mark a large walnut tree, on the slope of a small hill, on the side of the road which passes from the said Sn José to la Puente making a cut, (calcina) on one of its limbs with a hatchet. Thence in a direction about from South to North 10.400 varas to the Arroyo (creek) of San José opposite a high hill where a large oak was taken as a boundary, in which they fixed the head of a beef, & chopped some of its limbs. Thence in a direction about from West to East 10,600 varas to the Arroyo (creek) of St Antonio taking for a corner some young cotton wood trees which are near each other, marking crosses in the bark. Thence about from North to South 9700 varas to the foot of the black willow, the place of beginning, where the corners made East and West — with which the measurement of this place was concluded to the satisfaction of the parties, whom I ordered to place the proper land marks where they belong, that they may be understood to be fixed in proof of possession.

Done Officially – as I authorized & signed with the Surveyor & assg witnesses according to law.
Carlos Bani – José Sepulveda.
Assg. Narciso Botello. Pablo Vejar –
Angeles August 14th 1837.
Deliver to the parties a copy of these proceedings on common paper having none sealed. José Sepulveda, 2d Constitutional Alcalde of this city & its jurisdiction thus decreed, ordered & signed before assisting witnesses according to law – José Sepulveda – Assg. Narciso Botello. Assg. Pablo Vejar.

Compared with the original proceedings referred to & which are to be found in the book of public documents, in which they are registered & perpetuated from page 9 (seven) to 12 (twelve). This is faithfully copied and corrected, written on three sheets of common paper, having none sealed, which I authorized & signed with my assg witnesses at the City of Los Angeles the 16th of Nov 1837 –
Erasures properly made – road – José – in brackets –
In testimony of the truth
José Sepulveda.

assg. Narciso Botello. assg. Pablo Vejar.

Filed in Office Oct 9th 1852.
Geo: Fisher.
Secy.

Sello tercero - dos reales.
Furnished by the Administration of the Custom House of the port of Monterey in Upper California for the years 1836 & 1837.
Gutierrez Angel Ramirez.
Good for the years 1839 & 1840.
Alvarado Antonio Mª Osio.

Exhibit N.
Translation of Judicial Possession of one league as an augmentation.

ad mun.to de Monty

To the 1st Justice of the Peace

We Ygnacio Palomares, Ricardo Vejar & Luis Arenas, in the best form & for the proper application, represent, that in the title, which we respectfully present herewith, is a decree of the Prefecture, dated yesterday, by which we are directed to apply to one of the Justices of the Peace of this city, to give us the requisite possession which we ask you to do, with the customary formalities — Therefore we pray you to grant our request, as will be just — We swear &c.
Angeles April 3d 1840.
Ygno Palomares. Luis Arenas.

Angeles April 3d 1840.
Presented & allowed so far as may be legally done — Proceed to give the possession solicited by the parties. Thus I, the subscribing Judge, decreed, ordered and signed with assisting witnesses, according to law.
Felipe Lugo.

In the city of Los Angeles, in the Dept of the California, the 7th of May 1840, at the request of the citizens Ygnacio Palomares, Ricardo Vejar & Luis Arenas, to give them the proper possession of the augmentation of one league of land to the rancho named San Jose, in

the West, granted by the Government of the Depmt, & the title to which they attach to their petition, it is ordered that the subscribing Judge & assisting witnesses go to said place, & proceed to give the said possession, after citation to the adjoining owners; being governed by the said title or decree given to them by his Ex.cy the Governor, dated 24th of March 1840, I, the citizen Felipe Lugo, 1st Justice of the Peace & Judge of the 1st Instance of this city thus decreed, ordered & signed, before my asg. witnesses, with whom I act legally, on this common paper, there being none of the proper seal. To which I certify.

Felipe Lugo.

asg. Ygnacio Coronel. Damiano Avila.

On the same day, I, the said Judge, caused to appear before me the Rev.d Pre. of the Mission of S.n Gabriel & Don José de la Luz Linares, because they are adjoining owners, who, being informed of my object, made no objection, & I told them that I should proceed to the measurement. Done officially, which I authorized & signed with my asg. witnesses according to law.

Felipe Lugo

asg. Ygnacio Coronel, Damiano Avila.

On the ranchos of San José the 7th of May 1840, I, the proper Judge for the prosecution of these proceedings, named two chain bearers (whose names are omitted, they not knowing how to write) & made known their appointment to them, which they accepted taking the oath faithfully to discharge their duties, which I authorized & signed with my asg. witnesses, according to law.

Felipe Lugo

Asg. Ygnacio Coronel. Asg. Damiano Avila.

On the same day, month & year, being on the amount boundary of the ranchos of S.n José at the foot of an oak which

300

as an old land mark, & at a sufficient distance from the house for the purpose of verifying the measurement & proper possession in favor of Ignacio Palomares & Ricardo Vejar & Luis Arenas, of the additional league called Alessa, all the requirements of the law having been complied with & the assignees & chain bearers being before me, I caused a cord to be measured containing one hundred varas, with pieces of wood at its extremities, — after observation & calculation, by my direction the line was run from the oak in a deviation from East to West 5000 varas to a point of a small hill, which was taken for a corner, at which place appeared Antonio Valenzuela the Mayor domo of the Mission of S.n Gabriel by the P.a, this angle adjoining the Puente — Thence from South to North 5000 varas to the foot of a small red hill, called la loma de S. Felipe, where a mark was made — Thence from East to West 5000 varas to the old boundary of S.n Jose, where Jose de la Luz Linares appeared — with which the measurement was completed & the parties remained in full possession, which I authorized & signed with my assignees, according to law.

Felipe Lugo.

asg. Ig.o Coronel. asg. Jan.o Avila —

Angeles May 8th 1840.

Deliver to the parties a copy of these proceedings now completed on this common paper, there being none of the proper seal, I, Felipe Lugo 1st Justice of the Peace & Judge of the 1st Instance, thus decreed, ordered & signed with my assisting witnesses according to law.

Felipe Lugo.

asg. Ig.o Coronel. Jan.o Avila.

Note. This 18th of May 1840, registered this instrument & gave a copy to the parties — in evidence of which this

is certified. Certificate.

Compared with the original to which I refer. This is faithfully copied, corrected & compared, from the book of public instruments of the year 1840 - & is in 9 pages.

In testimony of the truth.

Felipe Lugo.

52 Filed in Office Oct 9th 1852.

Geo: Fisher.

Secy.

57

Ricardo Vejar
vs
The United States.

For the place San Jose in Los Angeles County, containing about five square leagues of land.

Opinion of the Board by Comr. Alpheus Felch.

The documentary evidence introduced in support of this claim shows that a grant of the place called San Jose was made by Governor Alvarado to the present claimant & Ignacio Palomares jointly on the 15th day of April 1837 which was approved by the Territorial Deputation on the 19th of the same month & under which judicial possession was given in August following. By the expediente, a traced copy of which is filed in the case it appears that an arrangement was subsequently made between the five grantees above named & Lewis Arenas to become jointly interested in the land described in the grant above mentioned & to procure an additional grant of one square league of land adjoining the premises for their joint benefit, & a new grant was accordingly issued to them jointly by Governor Alvarado on the 14th day of March 1840. This grant covers the premises described in the first grant & one league of land in augmentation thereof. Judicial possession of the land not embraced in the first grant was given May 7 1840.

Judicial proceedings for a division of the premises among the three owners were had and a partition made on the 12th day of February 1846 setting out by metes & bounds according to a survey & a map attached thereto, the portion of each. In the partition thus made the several owners appear to have acquiesced, & they have severally presented their claims to this Commission for their respective portions, according to record of the partition.

330

The original documents in reference to the grants & the partition above mentioned in case No 364, now by consent presented in evidence on the hearing of this case.

The proof given in the case shows the occupancy of the premises by both Nejar & Palomares very soon after the grant was made, & possibly before it was issued, & that they have continued to live upon & cultivate the premises ever since.

The claimant is entitled to a confirmation of the premises assigned to him in the partition, & a decree will be entered accordingly.

Confirmed

Filed in Office Jany 31 1854.

Geo: Fisher.
Secy.

Ricardo Nejar.
vs
The United States.

Decree of Confirmation.

In this case on hearing the proofs & allegations it is adjudged by the Commission that the said claim of the petitioner is valid, & it is therefore hereby decreed that the same be confirmed.

The land of which confirmation is hereby made is a portion of the place called San José situated in Los Angeles County & now in the occupancy of said petitioner, & is bounded & described as follows, according to the map or diagram of the same, annexed

7660 = 96½ ps. 2.10

to the testimonial showing a partition of the place called San José between Ignacio Palomares, Henry Dalton & said Ricardo Vejar, which map & testimonial are filed in this case & made a part of this decree, the land hereby confirmed being the portion designated on said map as the land of Ricardo Vejar, beginning at a rock in a small hill in the boundary of the ranchos Del Chino at the point marked D. on said map & running thence West thirty seven degrees North six thousand six hundred & fifty varas to a point at the Porlozuelito where there is a rock to mark the boundary at the place marked E. on said map - thence West thirty eight degrees North three thousand nine hundred & twenty varas to a walnut tree on the slope of a small hill in the boundary of Don José de la Luz Linares, at the point marked F. on the map - thence North twenty four degrees thirty five minutes West in the direction of the oak at the water hole & to said oak six thousand two hundred & ninety varas - at the point marked "Encina" on said map - thence North ten degrees East one thousand one hundred varas to the point marked u on said map - thence East thirty four degrees fifteen minutes South nine thousand four hundred & forty varas to the place marked y on said map - thence East thirteen degrees South five thousand seven hundred & thirty varas to the point marked z on said map - thence South nineteen degrees West six thousand varas to the place of beginning at the point marked D, on said map, containing 65,268,466 varas of land be the same more or less.

Alphéus Felch
Thompson Campbell
R. Aug. Thompson } Commissioners

340
6D

10000 = 100 folios

7/388

Filed in Office Jany 31 1854.
Geo: Fisher.
Secy.

Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims in the State of California.

I, George Fisher, Secretary to the Board of Commissioners to ascertain and settle the Private Land Claims in the State of California, do hereby certify the foregoing Sixty pages, numbered from 1 to 60, both inclusive, to contain a true, correct and full Transcript of the Record of the Proceedings and of the Decision of the said Board, of the Documentary Evidence and of the Testimony of the Witnesses, upon which the same is founded, on file in this Office, in Case No. 388 on the Docket of the said Board, wherein Ricardo Vejar is Claimant against the United States, for the place known by the name of "San José"

In Testimony Whereof, I hereunto set my hand and affix my private Seal (not having a Seal of Office) at San Francisco, California, this twenty third day of September A. D. 1854, and of the Independence of the United States of America the seventy-ninth.

Geo: Fisher

128

U. S. DISTRICT COURT,

Southern District of California.

No. 128. Docket

THE UNITED STATES,

128

Ricardo Yorba

For San Jose.

TRANSCRIPT OF THE RECORD

FROM THE

BOARD OF U.S. LAND COMMISSIONERS,

In Case No. 388

Filed, November 8th 1854.

C. E. Carr.
Clerk.

128

No. 388

Office of the Attorney General of the United States,

Washington, 17th January 1855.

Ricardo Vejar
vs.
The United States. } 388.

You will please take notice that in the above case, decided by the Commissioners to ascertain and settle private land claims in the State of California in favor of the claimant, and a transcript of the proceedings in which was received in this office on the 13th day of September 1854 the appeal in the district court of the United States for the Southern district of California will be prosecuted by the United States.

Cushing

Attorney General.

No. 128.

U. S. District Court
Southern District

The United States
vs.
Ricardo Vejar.

Notice of appeal from atty. Gen.

Filed Feby 27th 1855.

C. E. Carr
Clk.

128.

Office of the Attorney General of the United States,

Washington, 17th January 1855.

Ricardo Vejar
vs.
The United States. } 388.

You will please take notice that in the above case, decided by the Commissioners to ascertain and settle private land claims in the State of California in favor of the claimant, and a transcript of the proceedings in which was received in this office on the 13th day of September 1854 the appeal in the district court of the United States for the Southern district of California will be prosecuted by the United States.

Cushing

Attorney General.

No 128.

U. S. District Court
Southern District of Cal.

The United States,

vs.

Ricardo Pejar.

appeal Notice.

Filed March 8th 1855.

J. E. Carr.
Clk.

In the District Court of the United States for the Southern District of California.

CITY AND COUNTY OF LOS ANGELES--STATE OF CALIFORNIA.

Ricardo Vejar, appt.
vs.
The United States, appt.

Docket No. 128.

Transcript No. 388.

TO THE HON. ISAAC S. K. OGIER, JUDGE:

The Petition of **Pacificus Ord**, *a resident of said City, County, and State, Attorney of the United States for the Southern District of California, who petitions in this behalf for the United States, and being present here in Court, in the name and behalf of the United States, represents as follows: That heretofore, to wit: on or about the* 9th *day of* October — *A. D.* 1852, Ricardo Vejar

presented a petition to the Commissioners to ascertain and settle the private land claims in the State of California, when sitting as a Board, claiming a tract of land called San José situate *in the County of* Los Angeles — *State of California, which said petition is referred to for a description of the land claimed, a copy of which appears in the transcript hereafter referred to. That thereafter, to wit: on or about the* 31st *day of* January *A. D.* 1854, *the said Commissioners confirmed, by final decision, the said claim of said petitioner. That thereafter, to wit: on or about the* 8th — *day of* November *A. D.* 1854, *a duly certified transcript of the proceedings and decision of the said Commissioners in said cause, and the papers and evidence on which the said decision was founded, was filed in the Office of the Clerk of the District Court of the United States for the Southern District of California, and marked No.* 388; *reference to which it is prayed may be had and made part of this petition. That on or about the* 13th — *day of* September *A. D.* 1854, *the Honorable Caleb Cushing, Attorney-General of the United States, received a duly certified duplicate of said transcript of the proceedings and decision of said Commissioners in said cause, and the papers and*

evidence on which said decision was founded. That thereafter, to wit: on the 27th day of February A. D. 1855, the said Attorney-General of the United States filed, or caused to be filed, in behalf of the United States, a notice with the Clerk of said District Court of the United States, that the appeal in said cause from the said decision of the said Commissioners, in the District Court of the United States for the Southern District of California, would be prosecuted by the United States. Your petitioner further represents, that the land claimed, as aforesaid, is situate in the Southern District of California, and within the jurisdiction of this Honorable Court. Your petitioner further represents and insists, that the said claim is invalid; and the said decision of said Commissioners is erroneous, and ought to be reviewed, reversed and set aside, for many errors and imperfections of law and evidence, apparent in said certified transcript of the proceedings and decisions of said Commissioners in said cause, filed and appealed from as aforesaid. And your petitioner denies all and singular, each and every allegation in the said petition of said claimant, presented as aforesaid to said Commissioners. And your petitioner further denies that the said claimant has any valid right or title to said land claimed as aforesaid, or any part thereof.

And no sufficient proof having been made of the allegations in said petition to said Commissioners, or in support of the said claim, no decision confirming the same should have been made by said Commissioners; but the

said claim should have been rejected by them. And the said claimant, having no valid right or title derived from the Spanish or Mexican Governments, to the land claimed as aforesaid, the lawful right and title in and to the said land was acquired by, and it now belongs to the United States, by virtue of conquest, and the Treaty of peace, friendship, limits and settlement, between the United States and the Republic of Mexico, made at the City of Guadalupe Hidalgo, February 2d, A. D. 1848.

Wherefore, the said **Pacificus Ord,** Attorney of the United States for the Southern District of California, for and in behalf of the United States, by reason of the premises, and in pursuance of the Act of Congress, entitled "An Act to ascertain and settle the Private Land "Claims in the State of California," approved March 3d, A. D. 1851, and the laws and statutes in such case made and provided, prays that the said claimant, or his attorney may be served with a copy of this petition; and that this Honorable Court will review the said decision of said Commissioners, and reverse the same; and decide on the validity of the same, and decree the alleged title to be invalid: with costs and general relief.

P. Ord

Attorney of the United States for the Southern District of California.

No 128.

U.S. Dist. Court.
South. dist. of Cal.

Ricardo Vejar.
appel.

vs.

The United States
apple.

Petition for Review.

Filed Nov 8th 1855.

J. Ellis
Clk.

R. Ord. Dist Atty.

United States of America, } SS.
Southern District of California.

TO **The President of the United States,**

Ricardo Vejar

128 SD
PAGE 70

GREETING:

Take Notice, That a Petition, a copy of which is herewith served upon you, has been filed against you, ~~and each of you~~, in the District Court of the United States, in and for the Southern District of California, on the 8th day of November in the year of our Lord one thousand eight hundred and fifty-five at the City and County of Los Angeles, in said District, by

P. Ord U. S. Atty for the Southern Dist. of California in behalf of the United States, praying said Court to review the decision of the U. S. Land Commissioners of the 30th day of January A.D. 1854 confirming your claim to the land called "San Jose" situate in the County of Los Angeles and state of California and appealed by the Attorney General of the United States

and that you, ~~and each of you~~, are required to appear at said Court, in said City, within ten days after the service hereof, if served on you within the County of Los Angeles, and within twenty days if served on you in the County of San Diego or San Bernardino, and within forty days if served on you in any other County of said State, exclusive of the day of service, and answer said petition, or ~~that judgment by default will be taken against you, and each of you, and the prayer of the said petitioner will be granted, with costs.~~ the plaintiff will apply to the Court for the relief demanded therein

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the Seal of the said Court, this tenth day of November in the year of our Lord one thousand eight hundred and fifty-five at Los Angeles aforesaid.

J. E. Carr
Clerk.

Marshals cost

Copying summons	,60
Serving do	3,00
do Petition	3,00
Mileage on each 2,70	5,40
	$12,00

United States of America,

Southern District of California,

U. S. District Court.

Ricardo Vejar
Appee

vs. } No. 128.

The United States
Appelee.

SUMMONS.

Rec'd Nov 13 1855
Edward Hunter
U S Marshal

128 SD
PAGE 71

I served this summons along with the proper copy of the petition upon Ricardo Vejar by delivering to him personally a true copy of the same in the County of San Diego

at my residence

the Fourth day of

in the Southern District of California on A. D. 185 five

Sworn to and subscribed before me, this 17th of November A.D. 1855. J. E. Gan. Clerk.

Edward Hunter
U.S. Marshal.

In the District Court of the United States for the Southern District of California.

Ricardo Vejar Appellee vs The United States Appellant	Case No 128. Transcript 388. "San Jose."

And now comes the above named appellee by Myron Norton and Agustin Olvera his attorneys and for answer to the petition for review filed in this cause by the Appellant, says:

That his title to the land claimed by him in this case, is good and valid.

Wherefore he prays the judgment of this Honorable Court, that the decision of the United States Board of Land Commissioners in this case, may be affirmed, and his title to the lands claimed therein may be decreed to be valid, and for his costs in this behalf expended, and for such other or further and general relief as may be agreeable to Equity and good conscience and the nature of his case may require,

Myron Norton
Agustin Olvera
Attys for Appellee

Marshals cost for service
$3,00

Service this answer on Pom M. Atty by delivering to him a copy of the same
at his office this Nov 30th 1855
Edward Stratte
U.S. Marshal

Case No. 128.

United States District Court
Southern District of California

Ricardo Vejar
Appellee
vs
The United States
Appellant

Answer

128 SD
PAGE 73

Filed Nov. 24th 1852
C. E. Carr Clerk
By Jam. R. Dunmer
Deputy.

Myron Norton and A. Olvera
Attys for appellee

In the District Court of the United States for the Southern District of California.

Ricardo Vejar
Appellee
vs
The United States
Appellant

Case No. 128.
Transcript No. 388.
"San José."

Index of Transcript.

1837. and approval of the Assembly, dated April 16th & 19th 1837.

12. Decree of concession in favor of Gno. Palomares, Ricardo Vejar & Luis Arnas for San José & one league in addition — dated March 14, 1840 —

Brown pp 12 & 13. Map (No 8.) of the augmentation of one league, solicited by Luis Arnas —

13 to 18. Expediente of proceedings in favor of Palomares, Vejar and Luis Arnas for one league in augmentation of the tract called San José —

13. Petition of Arnas to the Prefect ad interim of the District of Los Angeles, dated Decr 16. 1839. and order of the Prefect ad interim referring the petition for information, to Palomares & Vejar & the ~~Rxxxxx~~ Administrator of the Mission San Gabriel — dated Decr 20. 1839.

14. Report of Palomares & Vejar and Juan Bandini, Administrator of San Gabriel dated respectively Decr 21. 1839, and Jany 20. 1840 —

14 & 15. Report of the Prefect ad interim —

15. Decree of concession by Gov. Alvarado to Palomares, Vejar & Arnas of the

augmentation of one league of
(stamed 1840)
16. to 18. Expediente of date March 11. 1840 (1840)
proceedings in favor of Luis Arnas for an addition of one league to the tract last mentioned

16. Petition of Luis Arnas to the Prefect of Los Angeles for an augmentation of less than one league - dated Aug 17. 1841. and order of Prefect referring petition to the 2d Justice of the Peace & the Priest of San Gabriel. dated Aug 19. 1841.

17. Report of 2d Justice of the Peace & the Priest of San Gabriel - dated respectively Aug 21. 1841 & Sept 7. 1841 -

17 & 18. Report of the Prefect to the Gov. dated Oct 17. 1841 -

18. Decree of concession by Manuel Jimeno Governor ad interim to Luis Arnas of one league in addition to the league granted March 14. 1840 - dated Nov. 8. 1841 -

Between 18 & 19. Map (No 6.) of the last mentioned addition of one league

" 18 & 19. Map (No 7) of the Rancho of San Jose -

Pages 21 to 24. Translation of first mentioned Expediente in favor of Ignacio Palomares, Ricardo Vejar & Luis Arnas -

21. Petition of Palomares & Vejar to the

Governor Alvarado for the Rancho of San José – dated March 27. 1837. and order of the Gov. referring petition to the Ayuntamiento of Los Angeles – dated March 30. 1837 –

21. to 22. Proceedings of the Ayuntamiento, dated April 1st 7th & 8th 1837

22 to 23. Decree of concession by Governor Alvarado to Palomares & Vejar – dated April 15. 1837.

23. Approval of the Assembly – dated April 16th & 19th 1837.

23 to 24. Decree of concession by Gov Alvarado to Palomares, Vejar & Armas for San José & one league in addition – dated March 14. 1840.

24 to 27. Translation of Expediente of proceedings in favor of Palomares, Vejar & Armas for an addition of one league to the tract called San José –

24 to 25. Petition of Armas to the Prefect ad interim (Tapia). dated Decr 16. 1839 –

25. Decree of Prefect ad interim referring petition to Palomares & Vejar and Administrator of San Gabriel.

dated Decr 20. 1839.

25. Report of Palomares & Vejar, dated Decr 21. 1839.

25 to 26. Report of the Administrator Juan Bandini - and the Prefect ad interim - dated Jany 20. 1840.

26 to 27. Decree of concession by Gov. Alvarado to Palomares, Vejar & Armas for the addition of one league - April 11. 1840 (Should be March 11. 1840)

27 to 29. Translation of Expediente of proceedings in favor of Luis Armas for an addition of one league more -

27. Petition of Luis Armas to the Prefect (Arguello) - dated Aug 17. 1841. and order of Prefect referring petition to the Justice of the Peace & the Priest of San Gabriel, dated Aug 19. 1841

28. Report of the Justice of the Peace, the Priest of San Gabriel & the Prefect of the District - dated respectively Aug 21. Sept 7. & Oct 17. 1841 -

28 & 29. Decree of concession by Manuel Jimeno Gov. ad interim to Luis Armas for

the addition of the last mentioned one league — dated Nov. 8, 1841

Page 30. Stipulation of counsel for the respective parties, relative to the deposition of Ignacio del Valle —

" 31 & 32. Translation of Original title to Palomares & Vejar, for "San José", by Gov. Alvarado, dated April 15, 1837 —

" 32. Translation of approval of the Assembly, dated April 19, 1837 —

" 33 & 34. Translation of Original title to Palomares, Vejar & Arenas for San José & one league in addition, by Gov Alvarado — dated March 14, 1840 —

" 34. Certificate of record of title in the office of the Secretary of State, and in the office of the Prefecture of the 2d District, dated April 2, 1840

" 36 to 42. Testimonial of proceedings of partition between Palomares, Vejar & Enrique Dalton, dated from Nov 17, 1845 to February 12, 1846.

(No 9)

Brown p.p. 42 + 43. Map (No 9) of the partition of the Ranchos San Jose & Agueja, between Palomares, Verjar & Dalton, made by Jaspar O'Farrell,

Brown p.p. 42 + 43. Map (No 10) of the lands belonging to Ricardo Verjar, in accordance with the partition above mentioned —

Pages 43 to 49. Translation of the above mentioned partition of the Ranchos of San Jose & Agueja dated from Nov. 17. 1845 to Feby 12. 1846.

" 50 to 52. Translation of testimonial of judicial possession given under the original title to Palomares & Verjar — Dated Aug 2 & 3 1837. and certificate dated Nov 17. 1837.

53 to 56. Translation of testimonial of judicial possession of one league as augmentation to the tract called San José, to Palomares, Verjar & Amnas, dated from April 3. 1840. to May 7. 1840. and certificate of record — dated May 18. 1840.

" 56.

57. to 58. Opinion of the Commissioners —

58 to 59. Decree confirming the claim —

No. 128.

U. S. District Court

Southern Dist of California

Ricardo Vejar
Appellee

vs

The United States
Appellant.

Index of Transcript.

Filed Jany 21st 1856.

J. E. Carr
Clk

Norton & Olvera

In the United States District Court for the Southern District of California.

December Term A.D. 1855
Los Angeles

Ricardo Vejar
appellee
vs
The United States
appellants

Case No 128.
"Jose Sepe"

This case coming on to be heard on appeal from the final decision of the United States Board of Land Commissioners to ascertain and settle the private land claims in the State of California, under an act of Congress approved March 3d 1851. on a Transcript of the proceedings and decision of said Board and of the papers and evidence upon which said decision was founded and upon additional Evidence taken in this Court, and it appearing to the Court that said Transcript and the notice of appeal have been duly filed according to law and counsel for the respective parties having been heard; — It is ordered, adjudged, and decreed by the Court that said decision of said Board of Commissioners be, and the same is hereby affirmed, and it is further adjudged and decreed that the title of the said appellee in this case to the lands claimed therein is good and valid, and the same is hereby confirmed to him.

The lands of which confirmation is hereby made being the one equal undivided one third part of the following tracts of land, to wit; that certain tract of land lying in the County

of Los Angeles called San Jose originally granted by Juan B. Alvarado Governor of California to the said appellee and one Ignacio Palomares on the 15th day of April 1837, and delineated in the (diseño) map attached to the Expediente, and which tract of land was regranted by the said Governor Juan B. Alvarado to the said appellee and Ignacio Palomares and one Luis Arenas on the 14th day of March A.D. 1840 together with an augmentation or addition of one league of land (sitio de ganado mayor) on the west next to the Mountain of San Gabriel as appears in the map (Diseño) accompanying the Expediente — And which said first mentioned and granted tract of land is bounded and described in the testimonial of Juridical possession in this case as follows, to wit; commencing at the foot of a black willow tree which was taken for a corner and between the limbs of which a dry stick was placed in the form of a cross, thence from the East towards the West Nine thousand seven hundred (9700) varas to the foot of the hills called "Las lomas de la Puente" taking for a land mark a large Walnut tree on the slope of a small hill on the side of the road which passes from the said San Jose to la Puente, making a cut (caladura) on one of its limbs with a hatchet — thence in a direction about from South to North Ten thousand four hundred (10400) varas to the arroyo (creek) of San Jose opposite a high hill where a large oak was taken as a boundary in which was fixed the head of a Beef, and some of its limbs chopped — thence in a direction about from west to East Ten thousand six hundred (10.600) varas to the

Arroyo (Creek) of San Antonio taking for a corner some young cotton wood trees which are near each other marking crosses in the bark – thence about from North to South, Nine thousand seven hundred (9,700) varas to the foot of the black willow the place of beginning – the said second tract of land or addition of one league being bounded & described in the testimonial of judicial possession in this case as follows, to wit; commencing on the ancient western boundary of San Jose, at the foot of an Oak which is an old land mark, from which the line was run from east to west five thousand (5000) varas to a point of a small hill, which was taken for a corner this angle adjoining the Puente – thence from South to North five thousand (5,000) varas to the foot of a small red hill called "La Loma de San Felipe" where a mark was made; thence from west to East five thousand (5,000) varas to the old boundary of San Jose. provided, that the additional tract is confirmed to the extent of one league only, within the boundaries described in the judicial possession

Geo. St. Clair
U S Dist Judge

No. 128.

U. S. Dist. Court
South. Dist. of Calif.

Picardo Yzar
appellee

vs

The United States
appellants.

Decree

Filed July 25th 1856
C. E. Carr
Clk

128 SD
PAGE 85

Recorded on Page 207

IN THE DISTRICT COURT OF THE UNITED STATES,

FOR THE SOUTHERN DISTRICT OF CALIFORNIA,

Los Angeles,..... December Term, 1855.

Ricardo Vejar

..... APPELLEE,	No. 128.
VS.	(No. 388 of Transcript.)
UNITED STATES, APPELLANT.	On Appeal from the United States Land Commission.

On motion of P. ORD, Attorney of the United States for the Southern District of California, it is hereby

ORDERED by the Court, that an appeal be granted the United States, to the Supreme Court of the United States, from the judgment of this Court against the said United States in the above entitled cause, rendered on or about the 4. ——— day of February A. D. 1856.

P. Ord
Dist Atty.

No. 128.

U.S. Dist Court
South'n Dist of California

Ricardo Vegas
Appellee
vs.
The United States
Appellants

Notice of Appeal S.C.

Filed Mch 17th 1856
C. E. Carr clk
By O Morgan Depy

California Land Claims.

Attorney General's Office

29 September, 1856.

Sir:

In the case of the claim of Ricardo Vejar, confirmed to the claimant by the Commissioners, Case no. three hundred and eighty-eight (388), and also confirmed on appeal by the District Court, appeal in the Supreme Court will not be prosecuted by the United States.

I am

Respectfully

Clifford

Pacificus Ord Esq.
U. S. Atty for the
Southern Dist. of Cal.

W 128

Ricardo Vigar
388

Rec'd Nov 4 1856

In the District Court of the
United States within and for the
Southern District of California

Monterey City December Term 1855

The United States
Appellants
vs
Francisco Tejar
Appellee

Docket No 128

Transcript from the Board of Land Commissioners No

In pursuance of a letter from the Attorney General of the United States received during Notice that in the above Cause the appeal in the Supreme Court will not be prosecuted by the United States. It is hereby stipulated and agreed by and between the parties, that the order granting an appeal to the Supreme Court heretofore made in this above Cause be vacated, and that the decree of this Court heretofore rendered in this cause may by order of the Court be made final.

P. Ord
Dist Atty.

Myron Norton
atty for appellee

U. S. Dist Court

South Dist Cal.

No. 128

The United States
appellant

vs

Ricardo Vejar
appellee

Filed July 23d 1857
Ellis
Clk

Stipulation
to vacate order of
appeal to Supreme Court

In the District Court for the United States within and for the Southern District of California

Wm Jones S. Ogier Judge

December Term 1855

The United States
Appellant

vs

Docket No 128

Ricardo Vejar
Appellee

Francis Smith Board of Land Commissioners &c

The Attorney General of the United States having given notice that the appeal to the Supreme Court from the decree of this Court in the above entitled Cause will not be prosecuted by the United States, And a stipulation having been entered into by the United States District Attorney and the attorney for the Claimant, that the order granting an appeal to the Supreme Court heretofore made in this Cause be vacated, and that the decree of this Court heretofore rendered in this Cause may by order of the Court be made final, it is

Ordered adjudged and decreed, that the order granting an appeal to the Supreme Court heretofore made in this Cause be and the same is hereby vacated. And that the Claimant have leave to proceed under the decree of this Court heretofore rendered in this Cause as under a final decree

Wm S. Ogier
U S Dist Judge

No. 128

U. S. Dist Court
South Dist Cal.

The United States
appellant
vs
Ricardo Vejar
appellee

Order Vacating order of appeal
Filed February 23. 1857
Lyons Clk
J. H. Coleman
Dep

In the District Court of the United States within and for the Southern District of California

Hon. Isaac S. K. Ogier Judge

December Term 1855

The United States
appellants
vs
Ricardo Vejar
appellee

Docket No. 128

Transcript from the Board of Land Commissioners &c.

In pursuance of a letter from the Attorney General of the United States hereunto annexed, giving notice that in the above cause, the appeal in the Supreme Court will not be prosecuted by the United States. It is hereby stipulated and agreed by and between the parties that the order granting an appeal to the Supreme Court heretofore made in the above cause be vacated, and that the decree of this Court heretofore rendered in this cause, may by order of this Court, be made final

P. Ord
Dist Atty
Myron Porter
Atty for appellee

United States District
State of California
Southern Dist California } ss

I, C. Swan Clk of the United States District Court for the Southern District of California, hereby certify the foregoing to be a full, true and correct copy of the original as the same appears of file in my office

In witness whereof I hereunto set my hand and affix the seal of said Court

No. 128

U. S. Dist Court
South Dist Cal

The United States
appellant
vs
Ricardo Vejar
appellee

Stipulation to Vacate order
of appeal to Supreme Court

Filed Feby 23d. 1857
C Sims clk

Certified Copy

128 SD
PAGE 95

This 23d day of March A.D. 1858
Robt Sims clk
by J. Hutchinson
Dep

Augmentation of San José

Diseño

128 S.D.

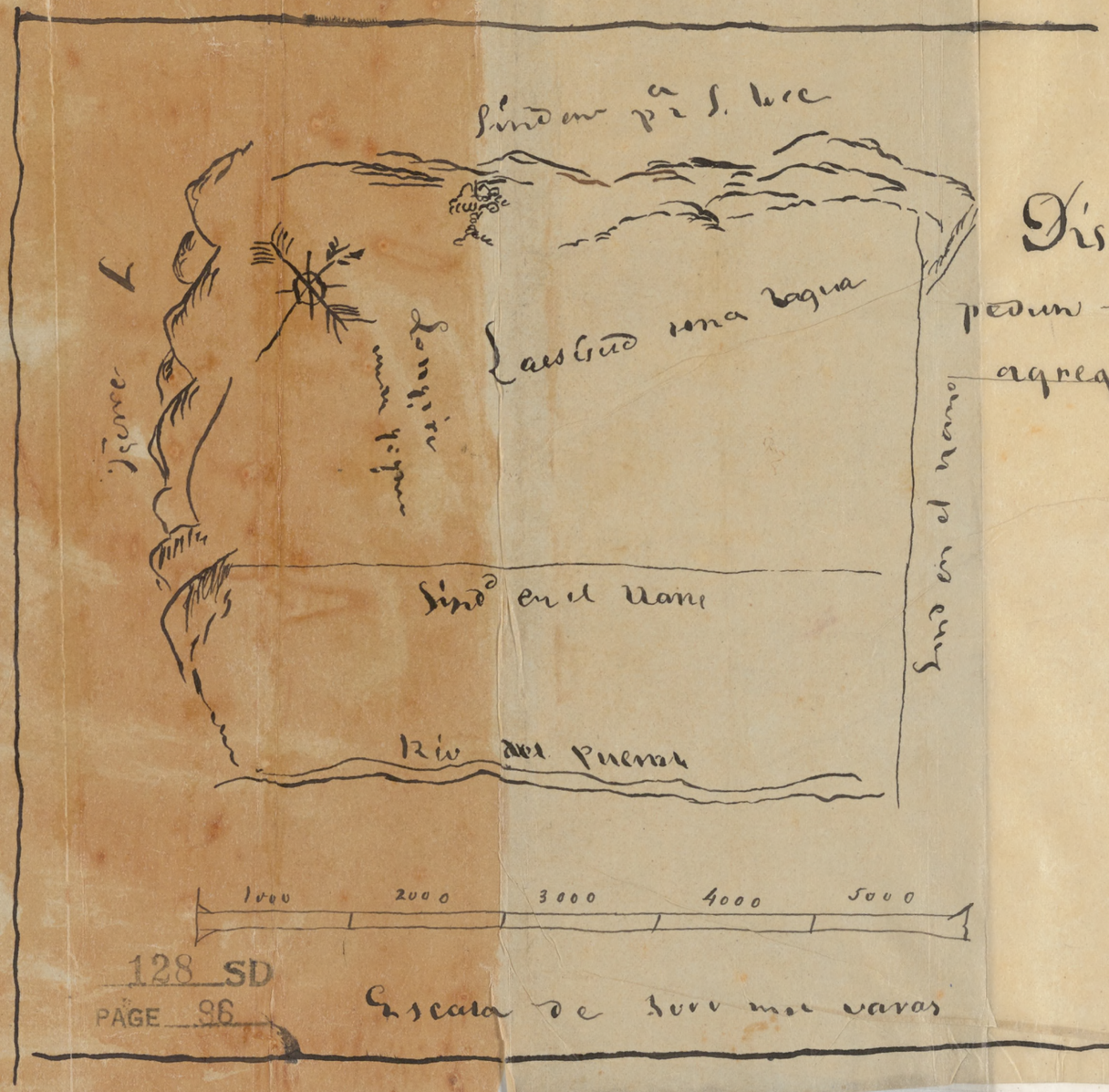
p. 96

"San José, part"

Ricardo Vejar, Claut

Los Angeles Co.

1142 R.



Escala de 5000 mil varas

Diseña de un a pedazo de tierra p agregar a S Sese

No 128

U.S. Dist Court
South Dist of California

Ricardo Vejar
appellee
vs
The United States
appellants.

Traced copy of Map from
Transcript in Case No 121.
Henry Dalton vs The United States

Sello Tercero Dos Reales

Habilitado provisionalmente por la Aduana Marítima del Punto de Monterey en el Departamento de las California para los Años de Mil Ocho Cientos treinta y tres y Mil Ocho Cientos treinta y uno.

Florencio Tapia — Angelo Ramirez Srio.

Valga para los Años de 1839 y 1840

Ant.o M. Osio.

Alvarado

Por Juez de Paz

Ignacio Palomares

Ricardo Vejar y Luis Arenas ante V.E. en la mejor forma y p.a el caso respectivo, decimos, que en el titulo que respectivamente acompañamos, existe un decreto de la Prefectura su fecha de ayer por el que se les nos indica ocurramos á uno de los Juzgados de Paz de esta Ciudad, para que se nos de la correspondiente posesion lo que tendrá V. á bien darnos segun la formula de titulo.

Por tanto á V.E. suplicamos acceda á nuestra solicitud por ser de Justicia, Juramos rc.rc Angeles Abril 3 de 1840

Ygnacio Palomares — Luis Arenas

Angeles Abril 3 de 1840

Por presentado y admitido en aumento ha lugar en derecho pasa á dar la posesion que se solicita los mencionados. Así yo el Juez que suscribe decreto, mandé, y firmé con los testigos de asistencia segun dro.

Felipe Lugo

En la Ciudad de Los Angeles del Departamento de las California á los siete dias del mes de Mayo, del Año Mil ocho cientos cuarenta y cuarenta á la solicitud de los C.C. Ignacio Palomares, Ricardo Vejar y Luis Arenas, á fin de que se les de la correspondiente posesion en el Aumento de una legua mas de terreno nombrado San Pedro para la Parte del Poniente concedido por el Gobierno

del Departamento Cuyo titulo accompañamos en indicada solicitud
dispuso que se pase me por el Juez que suscribe y testigos de
asistencia al expresado sitio. y procedase á dar la posecion
Judicial previa citacion de colindantes arreglandose al respectivo
titulo o despacho que se le ha conferido por el E. S. Gobernador con
fha catorce de Mayo de Mil Ochocientos Cuarenta. El C. Felipe
Lugo Juez 1º de Paz y de 1ª instancia de esta Ciudad asi lo decretó
mandó y firmó con los testigos de asistencia con quienes actuo por ecceptorial
en este papel comun por no haber del sellado respectivo Doy fé
Felipe Lugo
asi@ Ygnacio Coronel = Zamoraino Abila

En la fha yo el presente Juez doi comparecer
al R. P. de la Mission de Sn Gabriel y á Don Jose de la Luz
Linares y los colindantes quienes impuesto del objeto que quedava
y no habiendo manifestado escepcion ninguna. les dije procedio á la
medida lo que pongo por diligencia que autorizo y firmo con los de mi
asistencia segun dcho
Felipe Lugo
Ygnacio Coronel. Zamoriano Ayala.

En el Rancho de San Jose á los seis dias del mes
de Mayo de mil ocho cientos quarenta. yo el propio Juez para la
practica de las diligencias nombre dos officiales cordeleros que
para no saber firmar los omiten sus nombres quienes se les hace
saber su nombramiento el que acceptaban á cargo de
juramento que otorgaron ofreciendo desempeñar fielmente en su
encargo lo que autorizo firmo con los de mi asistencia segun dcho.
Ygnacio Coronel = Zamoranio Ayala as@ = Felipe Lugo

En el mismo dia mes y año estando en el antiguo
lindero del Rancho de San Jose al pie de un Encino que se puse
este por mojonero y á bastante distancia de la Casa á efectuar
las medidas y posecion correspondiente y á favor de los C. C.
Ygnacio Palomares y Ricardo Vejar y Luis Arenas de la legua
mas de tierra que es nombrado Azuza previas todas las requisitos

de la ley y estando ante mi, los testigos de asistencia y los oficiales Cordeleros. hice medir un cordel que contiene cien varas y hacer unos bancos de madera previa observacion y calculo por mi disposicion, se tiro el cordel dentro de la direccion del Poniente esto ó oeste que se midieron y contaron cinco mil varas las que remataron en la punta de una lomita que se marca por mojonera, en cuyo parage compareciron el Mayor Domo de la Mision de Sta Gabriel. Sor Antonio Bartolomeo por el Padre Sta estar colindante con este rumbo con el Poniente. De alli tirando el cordel rumbo Sur al Norte se midieron y contaron cinco mil varas. las que se remataran al pie de una lomita colorada que se nombra la loma de San Felipe donde se marco por mojonera. De alli se tiro el cordel de Esto á Oeste y se midieron y contaron cinco mil varas rematando en el antiguo lindero del Rancho de San Jose y donde habia compareciendo el Sor Don Jose de la Luz Linares con lo que se concluyeron las medidas y quedaron en plena posecion los interesados. Lo que autorizo y firmo con los de mi asistencia segun dro.

Ignacio Cornel as.a Yan.s Ayala. Felipe Lugo

Angeles 8 de 1840. De este testimonio á las partes de las presentes diligencias que se hallan concluidas en este papel comun por no haber del sellado respectivo. Felipe Lugo Juez 2.o de Paz y de 1.a instancia. asi lo decretó mandé y firmé segun dro.

As.a Ignacio Cornel Jan.o Abila. Felipe Lugo

= Nota = Hoy diez y ocho de Mayo de mil ochocientos cuarenta se proceda esto instrumento y se dio testimonio á las interesados y para constancia lo rubrique. "rubric"

Concuerda con su original que me remito lo cual esta fiel y legalmente sacado, corregido y confrontado del libro de instrumentos publicos del Año de mil ochocientos cuarenta. y va en 5 fs. En testimonio de verdad.

Felipe Lugo

Filed in Office Oct 23d 1852. (signed) Geo Fisher Secy.

I Charles Clerr Clerk of the District Court of the United States for the Southern District of California hereby, the above & foregoing, to be a true and correct copy of a document as it appears on pages 36. 37. 38 & 39 of Transcript in Case No 121. on file in my Office.

In Testimony whereof I have hereunto set my hand and affixed the Seal of said Court at Los Angeles this day of February AD 1856.

No 128

U. S. Dist Court
South Dist of Cal.

Francis Ryan. appellee
vs
The United States appellants

Certified Copy of Judicial Opinion from Transcript in Case No 121

N. S.
Translation of
Sud. Po. &c.

In the City of Los Angeles in the Department of the California on the twenty eighth day of the month of April in the year One thousand eight hundred and forty two in compliance with the verbal request of the citizen Luis Arenas that I might give him possession of one league more for large cattle (sitio) in addition to his farm "Rancho" called Azusa granted by the Government of this Department, which title he presents in original. I am with assistant witnesses to the aforesaid place and proceed to give the possession indicated, previously summoned the neighbors according the aforesaid title a despatch conferred to him by his Excellency the Governor date the Eighth of November One thousand Eight hundred and forty one. The citizen Sepulveda 2d Justice of the Peace, thus ordered and signs before the aforesaid assistant witnesses with whom I proceed as actuary in this common paper, for want of the respective stamped.

Ant. Antonio Coronel — Ant. Leonardo Cota — Jose Sepulveda.

On the same date I the present Justice passed a notice or the corresponding summons to the neighbors Andres Duarte and Julian Workman, manifesting my object in directing myself to Azusa, that I want to reconcile the addition asked for whom not having made any objection I told them to proceed, which I put for despatch which I authorise and signs with my assistants according to law.

Assistant Leonardo Cota. ass. Ignacio Coronel — Jose Sepulveda

Ind. (Rancho) the farm of Azusa on the 24th day of the same month and year. I the same Justice in order to proceed

with their duties. name two line bearer to whom a noti=
fication of their appointment was made, which they accepted.
under oath to comply faithfully with their appointment, which
I authorize and sign with my assistant witness according
to law

an.t Antonio Formal an.t Leonardo Cota. = Jose Espinosa

On the same day being in the place called Agua
dulce to a small table land contiguous to the Eastern boundary
for the purpose of accomplishing the measurement and possession
which corresponds to the Citizen Luis Arenas, the addition of the
league (sitio) before named prior to all the requisites of the
law before me and assistant witnesses and line bearer
I caused to be measured a line which contained
one hundred varas and fastened to its extremities
poles of wood first making observations and calcu=
lation by my arrangements the first line was run
from the of the small table land and coming
along the high road to San Jose we counted and
measured seven thousand five hundred varas which
terminated in four small sycamore trees which are
to the westward. the same we left for land mark
from this place we ran the second measured in a
north direction and measured and counted
Six Thousand varas which terminated near
where we ordered a land mark to be placed — from
this place we ran the third measure the direction
East and measured and counted five hundred varas
which terminated in a small red hill which

was marked for a land mark, from this last place we ran the line in the direction South and we measured and counted six thousand varas which terminated in the same table land where we commenced, which concluded the measurement of this place (sitio) to the satisfaction of the parties interested that is owners and neighbors, commanding Arenas to place the land marks in proof of possession, which I authorize and sign according to law.

as Ad. Coronel as Leonardo Cota. Ma. L. Sepulveda

Angeles April 29th 1852. Give testimony to the party of these documents which are now furnished on common paper for want of the respective stamp

M. Antonio Coronel as Leonardo Cota. Jose L. Sepulveda

Note, on same date the testimony was given as referred to in the foregoing despatch signed with rubric on behalf sig.t.

Corresponds to the original to which I refer which exists in the Book of Public Documents of the present year which is faithfully copied corrected and compounded in three sixty folios of common paper for want of stamped

signed Ignacio Coronel
signed. ofs. Casildo Aguilar In testimony of the truth sign Jose L. Sepulveda

Filed in office
Sept 29th 1852
Geo Fisher. Secy.

I Charles E. Beau Clerk of the District Court of the United States for the Southern District of California, hereby certify the above foregoing to be a true and correct copy of a document as it appears on pages 65, 66 & 67 of Transcript in Case No 121. on file in my office.

In testimony whereof I have hereunto set my hand and affixed the seal of said Court at Los Angeles this day of A.D. 1854.

No. 128

U.S. Dist Court
South Dist of California

Ricardo Vejar
appellee
vs
The United States
appt.

Copy of Document from Transcript
in Case 121.

No. 4.

Translation of Grant &c.

Seal of the First Class $6.00

Qualified provisionally for the Maritime Custom House of Monterey for the years 1839 and 1840

Alvarado — Antonio Maria Osio

Answer for the years 1841 and 1842

Simeno — Antonio Maria Osio

Manuel Jimeno Casarin 1st Proprietary member of the most Excellent Departmental Assembly in exercise of the government of the same.

Whereas citizen Luis Arenas has asked in addition to the place which he occupies a league of grazing land on its western part, in a tract bounded with the hills joining the mountains, road of San Juan, river of San Gabriel and the boundary line of the Citizen Duarte, having previously gone through with the proceedings and relative enquiries according to the direction of the laws and regulations using the authority conferred upon me in the name of the Mexican Nation, I have concluded to grant him the addition aforesaid declaring it to be his property by the present letters subject to the approval of the M. E. Dep. Assembly &c &c to the following conditions

1st He may enclose it without prejudice to the cross roads and easements. He may farm it freely and exclusively devoting to that use a culture that may best suit him.

2d He shall request of the proper Judge Judicial possession by virtue of this despatch, whereby the boundaries shall be designated in the limits whereof he shall place in addition to the land marks some fruit or forest trees of some utility.

3d The land of which grant is made consists of one league of grazing land as the diagram which accompanies the respective Expediente explains. The Judge who shall give him possession shall cause it to be measured agreeably to the ordinance reserving the surplus which results, to the Nation for its convenient use.

4.o If he shall violate these conditions he shall

for his right to the land and it shall be liable to denunciation by another.

Whereon I order that the present serving him for title, and being held firm and valid, account hereof be taken in the proper books and be delivered to the party interested for his protection and further ends.

Given at Monterey Nov 8th 1841.

Jose Fernandez Secy. ad interim Manuel Jimeno

Account remanded to this despatch in the Book of entries on the adjudication of unoccupied lands folio 8.

Fernandez.

The M.E. Gov Gobernador at interim has ordered account of this concession to be taken in the Prefectura of the 2d District

Fernandez

Angeles Feb 9th 1842 Ex Thacement. Arguello.

Account of this title remains taken at leaf 1st of the respective Book kept in the Prefectura of 2d District. Angeles Feb 9th 1842

Jose Arguello Secy.

Filed in Office Sept 29th 1852.

Geo Fisher Secy.

I Charles E Carr Clerk of the District Court of the United States for the Southern District of California hereby certify the above and foregoing to be a true and correct copy of a document as it appears on pages 63 & 64 of Transcript in Case No 121 on file in my office

In testimony whereof I have hereunto set my hand and affixed the seal of said Court at Los Angeles this day of February A.D. 1856.

No 128

Ord Dist Court
South Dist of Calif

Ricardo Yorba
appellee
vs
The United States
appellts.

Certified copy of Mandate
of Grant from Municipal
in Case No 121.

Santa Barbara Abril 19 de 1837

En Sesion de hoy aprobo la Exma. Diputacion la proposicion del dictamen de la Comision de terrenos baldios, que es a la letra, como sigue

Se aprueba á los C.C. Ignacio Salomaes y Pedro Vejar el Ranage nombrado San José por tener los requisitos necesarios conforme á la ley de 18 de agosto de 1824. y el Articulo 5º del reglamento de 21 de Nbre. de 1828.

Jno Ant.o de la Guerra y Candelo
Antonio Buelna. Alvarado Victor Prudon
Pres.te Sec.o

La parte interesada deberá reponer el papel sellado que corresponde agregado, tasado á este despacho el pliego del valor de seis pesos

Alvarado

Pueblo office Ab. 25 1837. Geo Bishop. Secy.

I Sheriff & Ex officio Clerk of the District Court of the United States for the Southern District of California hereby certify the above & foregoing to be a true and correct copy of a document as it appears on page 31. of Transcript in Case No 121. on file in my office.

In testimony whereof I have hereunto set my hand and affixed the seal of said Court at Los Angeles this day of A.D. 1856

No 128.

U.S. Dist. Court
South Dist of Califor

Ricardo Vasquez
appellee
vs
The United States
appellant

Certified copy of Docket
for Transcript in Case
no 121.

Grant
Exhibit NA

El Ciudadano Juan Bautista Alvarado. Gobernador Int.º del Estado y Pres.te de la Exma Diputacion del Mismo

Por cuanto los CC. Ygnacio Palomares y Ricardo Vejar mejicanos por nacimiento han pretendido para su beneficio personal y el de su familia, el terreno conocido con el nombre de San Jose dentro de los linderos del diseño que acompaña á su solicitud, practicadas previamente las diligencias y averiguaciones, segun lo dispuesto por leyes y reglamentos de la materia, usando de las facultades que me son conferidas á nombre de la Nacion Mejicana he venido en conceder el terreno mencionado declarandole la propiedad de el por las presentes letras, entendiendose esta concesion con entera conformidad á las leyes á reserva de la aprobacion de la Exma Diputacion y bajo las condiciones siguientes

1.º Los agraciados ni sus herederos podran dividir ni enagenar el que se les adjudica, imponerle censo, vinculo, fianza hipoteca ni otro gravamen aunque sea por causa piadosa ni pasarlo a manos muertas

2.º Podra cercarlo sin perjudicar las travesias, caminos y servidumbres, lo disfrutará libre y exclusivamente, destinandolo al uso ó cultivo que mas le acomode.

3.º Cuando se les confirme la propiedad solicitara del Juez respectivo, que le de posesion jurídica en virtud de este despacho por el cual se demarcaran los linderos y pondran sus mojoneras.

4.º El terreno de que se les hace donacion especialmente el que se expresa en la solicitud de los interesados y se demarca en el expediente que acompaño y el

Juez que la procesionará pasará aviso á este Gobierno del numero de sitios que comprende

En consecuencia mando que sirviendo les de titulo el presente y tenidos por firmes y validos se tome razon en el libro á que corresponde y se entregue á los interesados para su resguardo y demas fines convenientes. Dado en la Ciudad de Sta Barbara á 15 de Abril de 1837.

Juan B Alvarado Víctor Prudon Ruiz

I Charles E Carr Clerk of the District Court of the United States for the Southern District of California hereby certify the above and foregoing to be a true and correct copy of a Document as it appears on page 30 of Transcript in Case No 121. on file in my office

In testimony whereof I have hereunto set my hand and affixed the seal of said Court at Los Angeles this day of Feby AD 1856.

No. 128.

U.S. Dist Court
South Dist of Calif.

Ricardo Vejar
appellee

vs

The United States
appellant

Certified Copy of Docket
for Transcript in Case
No 121.

Exhibit O.

Expediente

de una legua mas de terreno que se agrega al Rancho de San Ygn. Palomares

Año de 1840

Sello 1º Seis pesos

Habilitado provisionalmente por la aduana Marítima de Monterey para los años de 1839 y 1840

Alvarado Antonio María Osio

(Real) Juan Bautista Alvarado, Gobernador Constitucional del departamento de las Californias.

Por cuanto los Ciudadanos Ygnacio Palomares y Ricardo Vejar y Luis Arenas, han convenido mutuamente y solicitado á beneficio de las tres el parage conocido con el nombre de San José que fue adjudicado á los dos primeros por decreto de 15 de Abril de 1837 con aumento de un sitio de ganado mayor por la parte del poniente contigua a la Sierra de San Gabriel practicadas previamente las diligencias y averiguaciones convenientes, segun lo dispuesto por leyes y reglamentos de la materia usando de las facultades que me son conferidas a nombre de la Nacion Mejicana las declaro dueño en propiedad del mencionado terreno, sujeto á la aprobacion de la Excma Asamblea Departamental y a las condiciones siguientes.

1º Podrá cercarlo sin perjudicar las travesías, caminos y servidumbres, lo disfrutará libre y exclusivamente destinandolo al uso ó cultivo que mas le acomode, pero dentro de un año á lo mas fabricará casa y estará habitada.

2° El terreno de que se hace donacion es el concedido por decreto de 15 de Abril de 1839 y un sitio de ganado mayor de aumento como consta en los diseños que corre agregado al espediente respectivo. El Juez que diere la posicion lo hará medir conforme á ordenanza quedando el sobrante que resulte á la nacion para los usos convenientes.

3° Cuando se les confiere la propiedad, solicitarán del Juez respectivo que le de posicion jurídica en virtud de este despacho por el cual se demarcarán los linderos en cuyos límites pondran á mas de las mojoneras, algunos arboles frutales ó silvestres de alguna utilidad

4° Si contravinieren á estas condiciones perderá su derecho al terreno y será denunciable por otro.

En consecuencia mando que sirviendole de titulo el presente y teniendose por firme y valedero, se tome razon de el en el libro respectivo y se entregue al interesado para su resguardo y demas fines convenientes. Dado en Monterey á catorce de Marzo de mil ochocientos cuarenta.

Manuel Jimeno Srio. Jnan B. Alvarado

Queda tomada razon de este titulo en el libro respectivo llevado en esta Prefectura á f. 2 T.a en tal virtud los interesados ocurriran á uno de los jueces de esta Ciudad, solicitando la correspondiente posicion del sitio q.e les refiere

Tiburcio Tapia Narciso Botello Srio

128 SD
PAGE 116

I Charles E. Cain Clerk of the District Court of the United States for the Southern District of California hereby certify the above and foregoing to be a true and correct copy of a Document as it appears on pages 35. & 36. of Transcript in Case No 121 on file in my office

In testimony whereof I have hereunto set my hand and affixed the seal of said Court at Los Angeles this day of AD 1888

No 128

U. S. Dist Court
South Dist of Calif.

Picardo Vejar
appellee

vs

The United States
appellant

Certified Copy of Document
from Transcript No 121.

No. 2.
Translation
of Grant
to Palomares
&c

Sale of the first class Six Dollars.
Qualified provisionally for the Marabino Patron House of
Monterey for the years 1839. and 1840.

Alvarado Art.º Maya Rio.

Juan B. Alvarado Constitutional Governor of the
Department of the Californias

Whereas Citizens Ignacio Palomares
Ricardo Pejas and Luis Arenas have mutually agreed and
solicited for the benefit of the three the place called San Jose
which was adjudged to the two first by decree of the 15th of April
1837 with an addition of one league of grazing land upon the
Western part contiguous to the Mountains of San Gabriel the
previous proceedings having been gone through with, and the
relative examinations according to the requirements of the law
upon the subject, using the authority conferred on me, in the name
of the Mexican Nation. I declare them owners in propriety of the
aforesaid place, subject to the approbation of the most Excellent
Departmental Assembly and on the following conditions.

1st. They may enclose it without prejudice to the cross roads
and easements. They may farm it fully and exclusively, destining
it to that use or cultivation that may most suit them. But with-
-in one year they shall build a house, and it shall be inhabited.

2d. The land which is granted them is that called "San Jose" ce-
ded by decree of the 15th of April 1837. and one additional
league of grazing land as appears from the diagram which accom-
-pany the proper expedients. The judge who shall give the possession
shall cause it to be measured conformably with the ordinance
leaving the overplus that results to the nation for convenient uses

2d When the property is conferred to them they shall solicit of the respective Judge to give the judicial possession by virtue of this despatch – by which they shall be designated in the limits of which they shall be placed in addition to the land marks some fruit or forest trees of some utility.

If that shall neglect these conditions they shall lose their right to the land and it shall be subject to denouncement by another.

Whereupon I order that the present serving them for a title and be considered firm and valid, account thereof shall be taken in the respective Book and be delivered to the parties interested for their security and further ends –

Given at Monterey the fourteenth (14) of March One thousand Eight hundred & forty.

Manuel Jimeno Juan B Alvarado

Secretary

Let account of this despatch be preserved in the book of requisitos concerning the adjudication of unoccupied lands at page 2d.

Jimeno

The most Excellt Governor orders that account of this title be taken in the Prefecturas of the Second District.

Angeles April 2d 1844.

At this date account of this despatch remains taken in the respective Book kept in the Prefecturas at page 2d at the side in virtue of which the parties interested may wait upon one of the Judges of this City, soliciting the corresponding possession of the tract referred to.

Tiburcio Tapia

Prefecture Office Sept 29th 1852

Geo Bates Secy

Get Pashin Dam

I, Charles E. Carr, Clerk of the District Court of the United States for the Southern District of California, hereby certify the above and foregoing to be a true and correct copy of a document as it appears on pages 58 & 59 of Transcript in Case No 121, on file in my office.

In testimony whereof I have hereunto set my hand and affixed the seal of said Court at Los Angeles this day of AD 1856

No 128

U S Dist Court
South Dist of Calif

Ricardo Vejar
appellee
vs
The U. States
appellant

Certified Copy of translation
from Transcript in Case
No 121.

Exhibit H.

En la Ciudad de Los Angeles de la Alta California á los dos dias del mes de Agosto de mil ochocientos treinta y seis. Ante mi á la solicitud de los Señs Ignacio Palomares y D. Ricardo Vejar a fin de que les de la Corespondiente posesion del terreno sitio y Rancho llamado S.ta Ana concedido por el Supr. Gobierno de este territorio y habiendo convenido con el agrimensor D. Carlos Barsi para que remita el enunciado terreno con total arreglo á las primeras medidas que se han practicado cuyo terreno agregaron los interesados al expediente pasese por mi y los testigos de mi asistencia al presente sitio y procedese á dar la posesion indicada. arreglandose al titulo ó despacho. que se les ha concedido por la Gefatura con quince de Abril ultimo — El Ciudadano Sepulveda Alcalde 1.o Constitucional de esta referida Ciudad. asi lo decretó mandó y firmó con los testigos de mi asistencia en este papel comun por no haber del sellado respectivo. Doy fé

as.a Narciso Botello. as.a Pablo Vejar — Jose Sepulveda

En el mismo dia. mes y año estando en la Ex Mision de S.ta Gabriel el Juez que suscribe pase oficio al Adm.r de dha Mision Ciudadano Jose Perez manifestandole el objeto á que me dirigia al presente de San Jose como que pertenecia esta aquella Comunidad, fuesse iba á reunirse y poner en posesion de el á Dn Ignacio Palomares y Dn Ricardo Vejar, no habiendo manifestado escepcion ninguna que suspendiesen las medidas le dije, que iba á proceder á ellos, lo que pongo por diligencia que autorizo y firmo con los testigos de asistencia segun dho doy fé

Narciso Botello as.a Pablo Vejar Jose Sepulveda

En el Rancho de San Luis á tres de Agosto de mil ochocientos treinta y siete yo el propio Juez para la practica de estas diligencias nombre dos oficiales cordeleros que por no saber firmar se omiten sus nombres, bajo de juramento que otorgaron oficiendo desempeñar fiel y legalmente su encargo. lo que autorizo y firmo con los testigos de mi asistencia. segun dro.

Anº Narciso Botello Anº Pablo Vejar Jose Sepulveda

En el mismo dia, mes y año estando en el paraje á la punta de las lomas llamadas de Sta Ana, á efecto de verificar las remedidas y posicion que corresponda á los Señs D. Ignacio Palomares y Ricardo Vejar del sitio nombrado Sta Ana, previas todas las requisitas de ley, y estando ante mi los testigos de asistencia los oficiales cordeleros y el agrimensor Don Carlos Barré hice medir un cordel que contiene cien varas el cual fue examinado y reconocido por el agrimensor enunciado y hacido a sus estremos unos sacos de madera, previa observacion y calculo del repetido agrimensor para su disposicion, se tiro el cordel al pie de un Sauchino el cual se tomo por mojonera poniendo dentro sus brazos un palo seco en figura de una cruz. rumbo Este á Oeste, se midieron y contaron nueve mil Setecientos varas hasta al pie de las lomas llamadas de la puente, poniendo por mojonera un nogal grande que esta á la ladera de una lomita pequeña que se haya á la orilla del camino que paso del repetido Rancho de San Jose al de la puente, haciendole la una Caladura en un brazo con un machete, En seguida tirando el cordel rumbo Sur al Norte, se midieron y

tirando el cordel rumbo Sur al Norte, se midieron y

contaron diez mil cuatrocientas varas las que remataron en la orilla de San Jose al frente de un Cerro alto. donde se señala por mojonera un encino grande en el que se encajo una Cabeza de res y se le dieron unos Machetazos en unos de sus brazos. En seguida se tiro el cordel rumbo oeste á Este y se midieron y contaron diez mil seiscientas varas las que remataron en el orillo de Sn Antonio poniendose por mohonera dos alisos nuevos que se hayan puestos en los que se gravaron dos cruces en las Costeras. De alli se tiro la cuerda rumbo norte Sur, y se midieron y contaron nueve setecientas varas las que remataran al mismo pie de Sanchino de donde comenzaron las remidedas y que halla esquina rumbo Este Oeste, con lo que se concluyeron las medidas de este sitio á satisfaccion de los interesados á las que les ordene pusieren las correspondientes mojoneras en los puntos donde corresponde y quedaron entendidas habiendo marcado aquello en señal de posecion, lo que pongo por diligencia. y que autorizó y firmé con el agrimensor y testigos de asistencia segun dro

Carlos Barré asta Narciso Botello asta Pedro Rejas — Jose Sepulveda

Angeles Agosto catorce de mil ochocientos treinta y siete.

De se le el testimonio á las partes de las presentes diligencias en papel comun por no haber del sellado que corresponde.

Jose Sepulveda Alcalde 2º Constitucional de esta Ciudad y la Jurisdiccion, asi lo decreté, mandé y firmé con los testigos de asistencia segun dro. = Jose Sepulveda

asta Narciso Botello asta Pablo Vejar

Concuerda con las diligencias originales que se refieren y existen en los archivados públicos en el juzgado protocoladas y constantes desde fa. 9. Va. hasta 12 Va. esta fielmente sacado y corregido escritas en estas tres fojas de este papel comun, por no haber del sellado respectivo que autorizo y firmo con los testigos de asistencia en la Ciudad de los Angeles a diez y seis de Nobre. de mil ochocientos treinta y siete.

Entre renglones - Fuchejado = unido José = Entre renglones no vale. — En testimonio de verdad

Sue Jepulveda = Ana Nacisio Botello = Pablo Vejar

Filed in office Oct 23d 1852

Geo Fisher

Clerk

I Charles Elan clerk of the District Court of the United States for the Southern District of California hereby certify the above & foregoing to be a true and correct copy of a document as it appears on pages 32. 33 & 34 of Transcript in Case No 121. on file in my office.

In testimony whereof I have hereunto set my hand and affixed the seal of said Court at Los Angeles this day of A.D. 1852

No 128.

US Dist Court
South Dist of Calif

Ricardo Vega
appell

vs

The United States
appellees

certified copy of document
from Transcript in Case
No 121.

En la Ciudad de los Angeles del Departamento de las Californias á los veinte y seis dias del Mes de Abril de mil ochocientos cuarenta y dos ante mi á la solicitud verbal del Ciudadano Luis Arenas á fin de que se le de la posesion de un sitio mas de ganado mayor en ampliacion de su Rancho llamado Azusa concedido por el Sup.r Gobr.o de este Departamento cuyo titulo presento original. Pasen por mi y testigos de asistencia al espresado sitio y procedase á dar la posesion indicada, previa citacion de colindantes arreglandose al repetido titulo ó despacho que se le ha concedido por el Exmo Sor Gobernador con fha Ocho de Noviembre de Mil Ochocientos Cuarenta y uno. El Ciudadano Jose Sepulveda Juez 2.o de paz, asi lo decretó mandó y firmó por ante, los espresados testigos de mi asistencia con quienes actuo por receptoria en este papel comun por falta del sellado respectivo as.e Ant.o Coronel - Fernando Cota. Jose Sepulveda

En la misma fha yo el presente Juez pasé aviso á la citacion correspondiente a los Señores Colindantes Don Andres Duarte y Don Julian Wogman manifestandole el objeto á que me dirigia al punto de Azusa, pues iba á medir la ampliacion que supe de quienes por no haber manifestado escepciones ningunas, les dije proceder á ellas lo que pongo por diligencia que autorizé y firmé con los de as.a segun Dro. As.e Antonio Coronel As.e Fernando Cota — Jose F. Sepulveda

En el Rancho de Azusa a los veinte y seis

del mismo mes y año. yo el propio Juez para la practicada de estas diligencias nombre dos oficiales cordeleros á quien les hize saber su nombramiento y aceptan bajo de juramento ofreciendo desempeñar fielmente su encargo lo que autorizo y firmo con los de mi asistencia segun dro

as. Anastacio Coronel = Leonardo Lota. Jue L Sepulveda

En la misma fha estando en el sitio llamado Azusa punta á la mission que el antiguo lindero que se halla bajo del Este, á efecto de verificar las medidas y posesion que corresponde al Ciudno Luis Arenas dela ampliacion del sitio ya nombrado previa todos los requisitos de ley y estando ante mi y los testigos de asistencia y los oficiales cordeleros, hise medir un cordel que contiene cien varas y atando á sus estremos unos bancos de madera, previa observacion y calculo por mi disposicion, se tiró el primer cordel desde el pie de la lomita y midiendose por el Camino real de San Jose, se contaron y midieron siete mil quinientos varas, que remataron en cuatro Alamitos que estan al poniente. las mismas que se marcan por mojoneras De este punto se tiró el cordel en segunda medida con direccion al Norte, y se midieron y contaron seis mil varas. que remataron cerca de la loma donde se mandé poner una mojonera. De este punto se tiró la tercera medida con direccion al Este y se midieron y contaron quinientos varas que remataron en una lomita Colorada que se marca por mojonera. De este ultimo punto se tiró el cordel con direccion al Sur, y se midieron y contaron seis mil varas que remataron en la misma Alisito donde se comenzó. Con lo que se

concluyeron las medidas de esta sitio á satisfaccion

concluyeron las medidas de esta Sitio á satisfacion de los interesados esto en diseño y colindante — mandando que pusiera Arenas las mojoneras respectivas en señal de posesion lo que autorizé y firmé segun dro.

As.a Anastacio Coronel asa Leonardo Cota. Jose L. Sepulveda

128 SD
PAGE 29

Angeles Abril 27 de 1842

En testimonio á la parte de las presentes diligencias que se halla ya concluidas con papel comun por falta del sellado respectivo.

Anastacio Coronel Leonardo Cota. Jose L. Sepulveda

Nota En la fha se libro el testimonio que se refiere. = subrico =

En el auto antedecente ——— Concuerda su original que me refiere que existe en el libro de instrumentos publicos del año presente del cual esto fielmente sacada. corregido y confrontado en seis fojas de papel comun por falta de sellado

En testimonio de verdad

Ignacio Coronel asa. Carillo Ayala . E. Jose L. Sepulveda

Filed in Office Oct 23d 1852. Geo Fisher Secy.

I Charles E. Carr Clerk of the District Court of the United States for the Southern District of California hereby certify the above & foregoing to be a true & correct copy of a document as it appears on pages 41. 42. & 43 of Transcript in Case No 121 on file in my office

In testimony whereof I have hereunto set my hand and affixed the seal of said Court at Los Angeles this day of February A.D. 1854.

No 128

U.S. Dist Court
South Dist of Calif.

Ricardo Vejar appellee
vs
The United States
appellant

Certified Copy of Document
(Judicial Opinion) from
Transcript No 121

Exhibit
P

Título de Posesion de D.n Luis Arenas en Azusa Año de 1842

Sello 1.o Seis pesos
Habilitado provisionalmente por la Aduana Marítima de Monterey para los años de 1839 y 1840
(Sig.) Alvarado Antonio Maria Osio
Valga para los años de 1841 y 1842
Jimeno Antonio Maria Osio

Manuel Jimeno Casarin primer por vocal propietario de la Exma Junta Departamental en ejercicio del Gobierno del mismo

Por cuanto el Ciudadano Luis Arenas ha pretendido en ampliacion el parage que ocupa un sitio de ganado mayor por la parte del poniente en un terreno montuoso colindante con la Sierra con el camino de San Juan de Azusa y lindero del Ciudadano Duarte, practicadas previamente las diligencias y averiguaciones concernientes segun lo dispuesto por leyes y reglamentos, usando de las facultades que me son confendos á nombre de la Nacion Mejicana, he venido en concederle el terreno mencionado declarandole la propiedad de el por las presentes letras y sugetandose á la aprobacion de la Junta Departamental y á las condiciones siguientes.

1.o Podrá cercarlo sin perjuicio de travesias, caminos y servidumbres, lo disfrutará libre y esclusivamente destinandolo al uso ó cultivo que mas le acomode

2.o Solicitará del Juez respectivo que le de la posecion jurídica en virtud de este despacho por el cual se demarcarán los linderos en cuyos

límites pondrá á unos de los mojones algunos Arboles frutales ó silvestres de alguna utilidad.
3º. El terreno de que se hace donacion es de un Litio de ganado mayor segun esplica el diseño que acompaño, quedar agregado al espediente respectivo
El Juez que diere la posecion lo hara medir conforme á ordenanza quedando el sobrante que resulta á la Nacion para los usos convenientes.
4º Si contravinien á estas condiciones pederá su derecho al terreno y sera denunciable por otro.

En consecuencia mando que teniendose por firme y valedero este titulo se tome razon de el en el libro respectivo y se entregue al interesado para su resguardo y demas fines. Dado en Monterey á ocho de Noviembre de mil ochocientos cuarenta y uno.

Jose Z. Fernandez Srio Manuel Jimeno

Queda tomada razon de este despacho en el libro de asientos sobre adjudicaciones de terrenos valdios á fol. 8. Fernandez

El Exmo Sor Gobernador Int. ha dispuesto se tome razon de esta concesion en la Prefectura del segundo Distrito.

Fernandez

Queda tomada razon de este despacho á fos 1º del libro respectivo llevado en la Prefectura del segundo Distrito. Angeles Febro 9 de 1842

Jose R. Arguello

I Charles E Carr Clerk of the District Court of the United States for the Southern District of California, hereby certify the above and foregoing to be a true and correct copy of a document as it appears on pages 40 & 41 of Transcript in Case No 121 on file in my office

In testimony whereof I have hereunto set my hand and affixed the seal of said Court at Los Angeles this day of February A.D 1856.

No 128.

U. S. Dist. Court
South Dist of Cal

Ricardo Vejar
appellant

vs

The United States
appellees

Certified Copy of grant
from Transcript in Case
No 121.